

ZB# 88-45

**Blooming Grove Tpke.
Associates**

70-1-45

Prelim.

Aug. 8, 1988.

7/9/88.
Stubblem:
Will get a copy of notice
to me on 9/12/88 -

70-1-45.

Public Hearing:

Sept. 26, 1988

Notice to Sentenced
(delivered on 9/12/88)

All
void

Area
Variances
Granted
on 9/26/88

General Receipt

10192

TOWN OF NEW WINDSOR

555 Union Avenue
New Windsor, N. Y. 12550

Sept. 27 1988

Received of Dr. Alan J. Free \$ 50.⁰⁰/_{xx}
Lefty and 00 DOLLARS

For ZBA - App. Dec #88-45 100

DISTRIBUTION:

FUND	CODE	AMOUNT
<u>CP# 2222</u>		<u>50.00</u>

By Pauline M. Johnson

Town Clerk
Title

NEW WINDSOR ZONING BOARD OF APPEALS

-----X

In the Matter of the Application of
BLOOMING GROVE TURNPIKE ASSOCS.

DECISION GRANTING
AREA VARIANCE

#88-45.

-----X

WHEREAS, BLOOMING GROVE TURNPIKE ASSOCS., a partnership with offices located at 833 Blooming Grove Tpk., New Windsor, New York 12550, have made application before the Zoning Board of Appeals to allow existing additions to a medical clinic located at the above address in an R-4 zone; and

WHEREAS, a public hearing was held on the 26th day of September, 1988 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, Applicant was represented by George F. Stradar, Esq. of Northrop, Stradar & Glenn P. C., 388 Broadway, Newburgh, N. Y. 12550; and

WHEREAS, the application was unopposed; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.
2. The evidence shows that applicant is seeking permission for existing additions to medical clinic, said additions requiring 19 ft. frontyard, 15 ft. sideyard, 18 ft. rearyard and 12 1/2 ft. building height variances.
3. The evidence presented by Applicant substantiated the fact that all previous building permits were applied for and received in order to construct the existing additions but that no violation notices were issued to obtain area variances at the time of application for building permits.
4. The evidence shows that the applicant will encounter practical difficulty if the variances requested are not granted due to the fact that the constructed has been completed.
5. The requested variances will not result in substantial detriment to adjoining properties or change the character of the neighborhood since a use variance was previously granted.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a 19 ft. frontyard, 15 ft. sideyard, 18 ft. rear yard and 12 1/2 ft. building height variances as stated above and in accordance with plans submitted to the Building Inspector and presented at the public hearing.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

Dated: October 24, 1988.


Chairman

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

88-45

Date: 9-9-88

I. Applicant Information:

- (a) 833 Blooming Grove Turnpike Associates
(Name, address and phone of Applicant) (Owner)
- (b) _____
(Name, address and phone of purchaser or lessee)
- (c) Northrop, Stradar & Glenn, P.C.
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of broker)

II. Application type:

- Use Variance Sign Variance
- Area Variance Interpretation

III. Property Information:

- (a) R-4 833 Blooming Grove Turnpike 70-1-45
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? C- Design Shopping
- (c) Is a pending sale or lease subject to ZBA approval of this application? no
- (d) When was property purchased by present owner? 1979
- (e) Has property been subdivided previously? no When? _____
- (f) Has property been subject of variance or special permit previously? yes When? 1979 (10/1/79 79-19)
- (g) Has an Order to Remedy Violation been issued against the property by the Zoning Inspector? no
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: no
- _____
- _____

IV. Use Variance:

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow:
(Describe proposal) _____
- _____
- _____
- _____

- (b) The legal standard for a "Use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

V. Area variance:

- (a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table of R-4 Regs., Col. E; F; G; I.

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yd. <u>60 ft.</u>	<u>41 ft.</u>	<u>19 ft.</u>
Reqd. Side Yd. <u>30/70 ft.</u>	<u>15/126</u>	<u>15/ft. side</u>
Reqd. Rear Yd. <u>30 ft.</u>	<u>12 ft.</u>	<u>18 ft.</u>
Reqd. Street Frontage*		
Max. Bldg. Hgt. <u>4"/FT=1 1/2 FT</u>	<u>14 ft.</u>	<u>12 1/2 ft.</u>
Min. Floor Area*		
Dev. Coverage* %	%	%
Floor Area Ratio**		

* Residential Districts only
 ** Non-residential districts only

- (b) The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also, set forth any efforts you have made to alleviate the difficulty other than this application.

Dr. Kroe, one of the partners of 833 Blooming Grove Turnpike Associates will not be able to continue his practice unless area variances are granted with respect to the portion of the premises which are before the Town of New Windsor Planning Board for site plan review.

VI. Sign Variance:

- (a) Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1			
Sign 2			
Sign 3			
Sign 4			
Sign 5			
Total	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Interpretation:

- (a) Interpretation requested of New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

- (b) Describe in detail the proposal before the Board:

VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

Applicant will provide trees, landscaping and other improvements as are set forth on applicant's site plan which is before the Planning Board.

IX. Attachments required:

- XX Copy of letter of referral from Bldg./Zoning Inspector.
- ___ Copy of tax map showing adjacent properties.
- ___ Copy of contract of sale, lease or franchise agreement.
- ___ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.
- ___ Copy(ies) of sign(s) with dimensions.
- XX Check in the amount of \$50.00 payable to TOWN OF NEW WINDSOR.
- ___ Photos of existing premises which show all present signs and landscaping.

X. AFFIDAVIT

Date September 9, 1988

STATE OF NEW YORK)
) SS.:
COUNTY OF ORANGE)

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

833 BLOOMING GROVE TURNPIKE ASSOCIATES

BY: *Alan J. Kroe*, Partner
(Applicant)
Alan J. Kroe

Sworn to before me this
9th day of September, 19 88.

STEWART P. GLENN
Notary Public, State of New York
Qualified in Orange County

XI. ZBA Action: My Commission Expires Dec 31, 1989

- (a) Public Hearing date _____.
- (b) Variance is _____.
Special Permit is _____.
- (c) Conditions and safeguards: _____

A FORMAL DECISION WILL FOLLOW
WHICH WILL BE ADOPTED BY
RESOLUTION OF ZONING BOARD OF APPEALS.

INTER-OFFICE CORRESPONDENCE

TO: TOWN PLANNING BOARD
FROM: ZONING BOARD OF APPEALS
SUBJECT: BLOOMING GROVE TPK. ASSOCIATES
PLANNING BOARD FILE #88-7
ZBA FILE #88-45
DATE: September 28, 1988

Please be advised that the above-entitled application for area variances was approved at the 9/26/88 public hearing heard before the ZBA.

The criteria for approving the application was based on the R-4 bulk regulations and not the PO (Professional Office) bulk regulations. Therefore, the only variance required under R-4 was a 28 ft. rear yard variance instead of the area variances listed on the original notice of disapproval dated 6/6/88 received from the Planning Board.

Kindly update your file with the above-entitled information.

James Nugent, Chairman

/pab

Attachment: Notice of Disapproval of 6/6/88

cc: George F. Shadar, Esq.

Rec'd ZBA
9/29/88 - ZBA

LAW OFFICES OF
NORTHROP, STRADAR & GLENN, P.C.

GEORGE F. STRADAR, JR.
STEWART P. GLENN
JAMES L. MONELL

388 BROADWAY
POST OFFICE BOX 2395
NEWBURGH, NEW YORK 12550
(914) 561-8000
(914) 562-0020

GEORGE MILNER NORTHROP
1903-1987
AUGUSTUS W. BENNET
1897-1983

September 28, 1988

Mrs. Patricia A. Barnhart
Town of New Windsor
555 Union Avenue
New Windsor, New York 12550

RE: Application for Area Variances - Blooming Grove
Turnpike #84-45

Dear Mrs. Barnhart:

Thank you for your letter of September 27, 1988
advising that the above area variance was approved.

I shall appreciate receiving a copy of the memorandum
from the ZBA to the Planning Board advising that the
variance requirements listed in the 6/6/88 Planning Board
Notice of Disapproval were not applicable, and that only the
rear yard variance (which was granted by the ZBA on 9/27/88) *Done*
is required. *9/29/88 ✓*

I very much appreciate your courtesies.

Very truly yours,



George F. Stradar, Jr.

GFS:lld
G-2981-A

OFFICE OF THE PLANNING BOARD
TOWN OF NEW WINDSOR
ORANGE COUNTY, N.Y.

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

P/B File No. BB-7

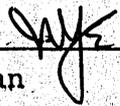
Date 6 JUNE 1988

To: BLOOMING GROVE TPKE ASSOC
833 BLOOMING GROVE TPKE
NEW WINDSOR N.Y. 12550

PLEASE TAKE NOTICE that your application dated 26 FEB 88
for (~~900000000~~ - Site Plan) DR KRDE OFFICE RENOVATION
located at 833 BLOOMING GROVE TURNPIKE

is returned herewith and disapproved for the following reasons.

MEDICAL CLINIC IN R-4 ZONE; FRONT YD.;
SIDE YD.; REAR YD.; BLDG HEIGHT

HENRY SCHEIBLE 

Planning Board Chairman

BASED ON
USE #A9 ZONEC

Requirements

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area <u>40 000 SF</u>	<u>43 000 SF</u>	<u>—</u>
Min. Lot Width <u>200 FT</u>	<u>329 FT</u>	<u>—</u>
Req'd Front Yd. <u>60 FT</u>	<u>41 FT</u>	<u>19 FT</u>
<u>2019A FT</u>	<u>15 117 1/2</u>	<u>15 FT SIDE</u>

DR. ALAN KROE SITE PLAN (88-7)

Stewart Glenn, Esq. came before the Board representing this proposal along with Mr. Emanuel Katz.

Mr. Glenn: We have a situation here, I believe you have the site plan as submitted by Mr. Katz. The only change he has made on the one that he has --

Mr. Babcock: This is across from Vails Gate Firehouse, Dr. Kroe is a tenant of the spaces that are indicated with the lines on the end of the building. It is not an addition to the building. It is the existing building. He has been under lease of this part of the building.

Mr. Glenn: He is a podiatrist. He has been practicing podiatry for 29 years. For the past five years, he has been practicing and sharing spaces in another part of the building and entered into a lease of this particular part of the building to start as soon as possible so that he can be practicing full-time.

Mr. Scheible: Which part of the building has been occupied as a residence?

Mr. Glenn: This section.

Mr. Scheible: It is no longer being occupied as a residence?

Mr. Katz: Correct.

Mr. Scheible: This is in a residential zone.

Mr. Glenn: No, it is C1.

Mr. Van Leeuwen: We approved this a number of years ago, that addition to the building. There was a proposal for a residence and he put in a residence.

Mr. Babcock: C zone ends at the road, the intersection before this building. This is in a R4 zone.

Mr. Scheible: Let me finish what I was going to say. Since this is in an R4 zone, under R4 zone you are allowed to have an office and residence. Now since there is no more residence, you are falling out of compliance. You are out of compliance right now. In order for this to go any further, you'd have to go before the Zoning Board of Appeals to get a variance to use this entirely as an office area.

Mr. Katz: If it was brought back --

Mr. Scheible: R4 zone permits an office and residence attached as long as the resident has his own office within the building. But since Dr. Allan removes himself from this building, this no longer falls into that category. So you are no longer in compliance. You have an office space in a residential area which is not allowed. So, therefore, you have to go -- before we go any further -- you have to go before the Zoning Board of Appeals for a variance to occupy this as an office building completely as an office building. Am I right or wrong, Joe?

Mr. Roness: It would seem so.

Mr. Edsall: I agree with what you are saying. I was under the impression because of the fact that it was so extensively used that it got approval for a medical clinic.

Mr. Scheible: Up until what period of time was this occupied as a residence by Dr. Allan?

Mr. Katz: I believe until it was taken over which is October.

Mr. Glenn: That is when Dr. Kroe's lease started and he is paying rent and not able to use it for his profession. It is his intention to renovate it according to code and have the contractors come in and submit plans.

Mr. Van Leeuwen: He is renting it already?

Mr. Glenn: And he is paying rent monthly for use of this space and he is willing.

Mr. Van Leeuwen: Where was his attorney?

Mr. Glenn: On the lease?

Mr. Van Leeuwen: Yes.

Mr. Glenn: There was none. I don't think that was part of his initial plan.

Mr. Katz: I was under the sure impression this was the information that I saw from a prior plan that was submitted. It was a C1. Now where can I double check that?

Mr. Babcock: We have no C1 zone and the reason I am positive

about this is we have another item on the agenda which is the Forge Hill Country Furniture Center which is below this and we were under the impression that the Cl went to Forge Hill. When I did check it, it stopped at Marshall Drive.

Mr. Katz: Going which way?

Mr. Babcock: Coming from Vails Gate.

Mr. Glenn: Since 85 percent of the building was used for this use, that was the permitted use of the building.

Mr. Roncs: The impression was that before zoning, this was used in a non-conforming way.

Mr. Glenn: He was advised that it was commercial because 85 percent of the building was used for the professional offices and that is what he had been advised of.

Mr. Roncs: He was using it that way before zoning, so that he had a non-conforming use.

Mr. Van Leeuwen: Dr. Allan still owns the building. Before we give any kind of advice to the Zoning Board of Appeals, we would like to take a look at it.

Mr. Scheible; Yes.

Dr. Kroe: This is now a limited partnership. We have all bought into the building so it is not Dr. Allan's building. He is one of the partners.

Mr. Van Leeuwen: But, Burt has done pretty much what he wants to do and it doesn't conform to the zoning. It doesn't mean we can't get it to conform to zoning.

Dr. Kroe: This is a new ownership. We are going to beautify the building. We all appreciate that it is a sight. I will be the first to admit it, but we have --

Mr. Glenn: Dr. Kroe was the moving force to have the building beautified.

Mr. Katz: There were certain things done from the time that I drew the maps that I went down to the site before I came here. This has been paved up to here. There is rock completely in all portions of the site.

Mr. Scheible: As it stands right now, it is not in compliance with zoning. So it makes no sense for us discussing what you are going to be doing with the piece of property. Before we go to that step, you still have to go to the Zoning Board of Appeals to get a variance.

Mr. Katz: A variance to convert to a complete office building.

Mr. Babcock: It would be a use variance.

Mr. Roncs: You are going to dress the facade up?

Dr. Kroe: Yes, I have here estimates changing the face of the building all to conform. About one-third of the building is Texture 111.

Mr. Van Leeuwen: You are going to be Texture 111 on the whole building? It is a botch job. I'd like to see something better than Texture 111.

Mr. Katz: I think we did do some work there that would really pretty up the place.

Dr. Kroe: We have just laid down the rock. We are going to get estimates on blacktop and the lines.

Mr. McCarville: Before we pick out the siding, I think we ought to take a look at the parking lot. I want to point out that if you get your use variance, that does not preclude you from coming back to the Planning Board. The possibility of exploring a second exit onto 94 might be beneficial.

Mr. Glenn: I have been told that they asked the state for it and it was denied. They certainly are not opposed to pursuing. But I don't know if it will be approved.

Mr. McCarville: I think it should be looked at again because it would certainly assist the flow of traffic and be more beneficial for the spaces here.

Mr. Scheible: Does this have to be resubmitted to the Fire Bureau also?

Mr. Edsall: If you can't get the second entrance, we should look at the traffic pattern a little more. The parking in front is angular and you can't really go out without going into the turnaround areas. You'd be opposing all the traffic coming in when you are going out and the aisle width is not large enough.

Mr. Katz: It is approximately 30 feet.

Mr. Edsall: Clear from the back of the spaces, right here.

Mr. Katz: Oh, no.

Mr. Van Leeuwen: I make a motion that the Planning Board of the Town of New Windsor approve this site plan of Dr. Alan Kroe.

Mr. Schiefer: I will second that motion.

Mr. McCarville: The handicapped area would have to be blacktopped.

Mr. Scheible: They are going to have to come back before us after the zoning so all these questions will be answered at that time.

Mr. Katz: In order to give you an approved map at that time, I wondered if you'd just take an extra minute and just mention some of the other points that might be of interest so I can give you an approved map the next time I see it instead of bringing back the same thing.

Mr. Scheible: I think it is a good idea but we are going to get a better idea if we go down and do a sight inspection.

Mr. Van Leeuwen: I want to see the site first.

Mr. Katz: Could we in any way say we'll meet the next time you're meeting to jot down a note so we can give you an approved copy?

Mr. Scheible: We have to submit to the Fire Bureau. Send another request to the DOT requesting another exit and then that all hinges upon that. That will change your whole traffic pattern around. So right now, we are going to send you onto the Zoning Board, go down and make a sight inspection of this property Monday evening. If somebody wants to be around there between 7:30 and 8:00, in that area, that would be fine.

Mr. Glenn: The main problem that Dr. Kroe has is whatever he can do to expedite so he can practice because he is unable to practice full-time because he is sharing spaces. He can only be there part of the week. He is quite willing to be working on the beautification and that is his hardship. So whatever can be one and still achieve your goals, whatever we can do to do that, we'd like to move on it as quickly as possible. This is his livelihood and he is finding, as a tenant, his delay

is a real problem. That is the contention of his problem.

Mr. Scheible: Who is the owner of the building?

Dr. Kroe: Among the four physicians and myself, Dr. Allan, Dr. Mandel, Dr. Perconte (phonetic).

Mr. Scheible: They all occupy the building. There are four offices in there now?

Dr. Kroe: Dr. Allan and Perconte are in joint practice and I have a room that I sub-lease.

Mr. McCarville: I would like to make a motion that the Planning Board of the Town of New Windsor pass a resolution recommending to the Department of Transportation an additional egress on this property. If we supply that motion to the party, this would give them a better chance of getting that type of thing. I will put that into the form of a motion.

Mr. Scheible: We already have a motion on the floor.

ROLL CALL:

MR. SCHIEFER	NO
MR. VAN LEEUWEN	NO
MR. LANDER	NO
MR. JONES	NO
MR. MC CARVILLE	NO
MR. PAGANO	NO
MR. SCHEIBLE:	NO

Mr. Scheible: Mr. McCarville has made a motion that the Planning Board of the Town of New Windsor send on a memorandum to the Department of Transportation requesting the possibility of granting an extra curb cut on Route 94.

Mr. Van Leeuwen: We can't really do that.

Mr. McCarville: We can supply that letter to the applicant.

Mr. Edsall: It is a valid way to do it. It is just a recommendation.

Mr. Glenn: Does that mean that assuming otherwise that this plan meets your requirements, that will be part of what you recommend, that there be a second curb cut because they don't want to apply for one if that is not going to be a recommendation ultimately.

Mr. Lander: I will second that motion.

ROLL CALL:

MR. SCHIEFER	AYE
MR. VAN LEEUWEN	AYE
MR. LANDER	AYE
MR. JONES	AYE
MR. MC CARVILLE	AYE
MR. PAGANO	AYE
MR. SCHEIBLE	AYE

NEW WINDSOR SHOPPING CENTER (88-8)

Mr. Paul Cuomo and Mr. Ben Gailey came before the Board representing this proposal.

Mr. Cuomo: This is a shopping center retail establishment with a second story. One of the buildings is for business and professional. This little bit here is going to be for retail as well. The building is a one story all retail and then the top will be a business or professional.

Mr. McCarville: I am having a hard time figuring out where this is.

Mr. Cuomo: This is an empty piece of land. Since I had this layout here we have got privy to a survey and I wanted to -- I didn't want you to think we forgot the trailers, some of them are encroaching on our property. We'd like to get them removed. The traffic flow is the best with this size building. The traffic flow, I tried to an extent to keep it around the building, but we still come up short of parking.

Mr. Gailey: The building is not huge, but the way it narrows down at the one end, we don't have enough space. What we are asking is that, I don't know what your procedures are, we want to get a variance. We want to go to the Zoning Board of Appeals for a variance on the parking. I don't know if you refer us or turn us down.

Mr. Van Leeuwen: I make a motion that the Planning Board of the Town of New Windsor approve this site plan of New Windsor Shopping Center.

Mr. McCarville: I will second that motion.

INTER-OFFICE CORRESPONDENCE

TO: PLANNING BOARD
FROM: ZONING BOARD OF APPEALS
SUBJECT: BLOOMING GROVE TPK. ASSOC. REQUEST FOR USE VARIANCE
NOTICE OF DISAPPROVAL - 6/6/88- PB FILE #88-7
ZBA FILE #88-45
DATE: AUGUST 25, 1988

In accordance with the above-entitled notice which was forwarded to the ZBA, please be advised that Dr. Kroe will be applying for area variances only on property located at 833 Blooming Grove Tpk. Under date of 11/26/79 the ZBA application #79-19 - a use variance was granted to allow professional offices at this site. I am attaching hereto a copy of the pertinent formal decision which we feel covers the entire parcel listed on New Windsor tax map Section 70 - Block 1 - Lot 45 to include Dr. Kroe's application to the Planning Board for site plan approval dated June 6, 1988 - Planning Board File #88-7.

A use variance for professional offices was granted for the entire parcel known as 833 Blooming Grove Tpk.

James Nugent, Chairman

/pab
Attachment

cc: Building Inspector Babcock

ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR

833 Bloom

Case

70-1-45

-----x
In the Matter of the Application of
ANTHONY SINISGALLI.

DECISION GRANTING
USE VARIANCE

Application #79-19.
-----x

WHEREAS, ANTHONY SINISGALLI of Route 94, Town of New Windsor, New York, has made application for a use variance to permit professional offices in an R-4 (residential) zone to be located at his residence above; and

WHEREAS, a public hearing was held on the 22nd day of October, 1979 at the Town Hall, Town of New Windsor, New York; and

WHEREAS, the applicant was represented by Jerald Fiedelholz, Esq., 279 Quassaick Avenue, New Windsor, New York; and

WHEREAS, the application was opposed by a number of area residents and property/^{owners} including Kingswood Gardens Condominium homeowners who were represented by Raymond H. Bradford, Esq.; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings of fact in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Evening News, also as required by law.

2. The evidence shows that the applicant has attempted to sell or lease the property for residential purposes for a number of years.

3. The evidence shows that the neighborhood is primarily commercial in character and that the proposed use as a professional office will not change the character of the neighborhood.

4. The evidence shows that the plight of the applicants was due to unique circumstances and not to general conditions suffered by other persons within the zone.

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings of law in this matter:

1. The land will not yield a reasonable return as it is presently zoned.

2. The hardship of the applicant has been shown to be due to unique circumstances and not general conditions.

3. The application does not alter the essential character of the neighborhood.

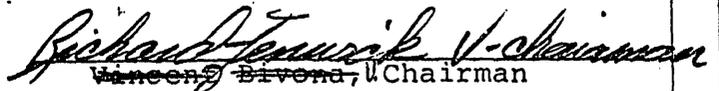
4. The application before the Board does not rewrite the Zoning Law.

5. The evidence shows that this is not a self-created hardship.

NOW, THEREFORE, BE IT RESOLVED that the Zoning Board of Appeals of the Town of New Windsor grant a use variance as applied for by ANTHONY SINISGALLI.

BE IT FURTHER RESOLVED that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and the attorney for the applicant.

Dated: November 26, 1979.


Vincent Bivona, Chairman



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

September 27, 1988

George F. Stradar, Esq.
P. O. Box 2395
Newburgh, N. Y. 12550

RE: APPLICATION FOR AREA VARIANCES-BLOOMING GROVE TPK. ASSOCS.
#88-45

Dear Mr. Stradar:

This is to confirm that the Zoning Board of Appeals at its September 27, 1988 meeting voted to grant the above application for area variances.

Formal decision will be drafted some time in the future and acted upon by the Board. You will be receiving a copy by return mail.

Very truly yours,

PATRICIA A. BARNHART
Secretary

/pab
Enclosure

cc: Town Planning Board
Michael Babcock, B. I.

(4)

9/26/86 - Public Hearing: Blooming Grove Tpk. Assoc. - 88-45

Name:

Address:

John E. Waudel (ind)

833 Bl. Grove TPKE

TOWN OF NEW WINDSOR
COUNTY OF ORANGE
555 Union Avenue
New Windsor, New York 12550
Telephone 565-8807

Building Department

Permit No. 2471
Location: E. Side N.Y.S. Rte. 94 - @ int Knox Village Dr.
Map No.: Section: 70 Block: 1 Lot: 45

**Affidavit of Final Cost of Construction—
Application for Certificate of Occupancy**

State of New York
County of Orange } ss.:

Ralph Heetzler, being duly sworn, deposes and says:
(Applicant or Agent)

that he (she) is the applicant (or agent of the applicant) named in the Application for Building Permit dated May 21 1984 relating to construction or other work to be performed on, or in connection with, the premises located as indicated above; that the estimated cost stated in said application of the construction or other work described therein was Seventy Two Thousand Dollars (\$72,000); that the actual final cost of such construction or other work was Dollars (\$.....).

Application is hereby made for the issuance of a Certificate of Occupancy for the structure on these premises. Applicant states that he has examined the approved plans and that to the best of his knowledge and belief, the structure has been erected in accordance therewith and in accordance with the applicable provision of law.

Applicant further states that he was the (Note: Strike out items a, b, or c, not applicable)

- (a) Licensed Architect, or (b) Professional Engineer, or
- (c) Superintendent of construction who supervised the said construction or other work and that by reason of his experience he is qualified to supervise such work on the structure for which a Certificate of Occupancy is requested.

Sworn to before me

this 16th day of Nov 1984

Pauline G. Townsend

Notary Public
PAULINE G. TOWNSEND
Notary Public, State of New York
No. 4643692
Appointed in Orange County 85
My commission expires Mar. 30, 1985

Ralph Heetzler
(Applicant or Agent)

Filed Cost \$ 72,000
Permit Fee Paid \$ 269.00
Additional Fee \$ C.O. 15.00

(Costs for the work described in the Application for Building Permit include the cost of all of the construction and other work done in connection therewith, exclusive of the cost of the land. If the final cost is less than the estimated cost stated in the Application for Building Permit, no portion of the fee paid upon the filing of the application will be refunded.)

TOWN OF NEW WINDSOR
COUNTY OF ORANGE
555 Union Avenue
New Windsor, New York 12550
Telephone 565-8807

Building Department

Permit No. 2171

Location: E. Side N.Y.S. Rte. 94 - At Int. Knox Village Dr.

Map No.: Section: 70 Block: 1 Lot: A5

Certificate of Occupancy

No. 112

Date November 16 1984

THIS CERTIFIES that the building located at premises indicated above, conforms substantially to the approved plans and specifications heretofore filed in this office with Application for Building Permit dated May 21 1984, pursuant to which Building Permit was issued, and conforms to all the requirements of the applicable provisions of the law. The occupancy for which this certificate is issued is Addition to professional Office & Living Space (Stage I as indicated on Plans)

This certificate is issued to

Dr. Burton Allen

(owner, lessee or tenant)

of the aforesaid building.

Jacob L. Fennell
Superintendent of Buildings

(The Certificate of Occupancy will be issued only after affidavits or other competent evidence is submitted to the Superintendent of Buildings that the completion of the construction in compliance with the State Building Construction Code and with other laws, ordinances or regulations affecting the premises, and in conformity with the approved plans and specifications. A final electrical, plumbing, heating or sanitation certificate or other evidence of compliance may be required before the issuance of the Certificate of Occupancy.)

No 2471

(70-1-45)

..... May 11, 1984

BUILDING PERMIT

FEES \$ 269.00

A permit is hereby given by the Zoning Officer of the Town of New Windsor, Orange County, N. Y., for building as described:

Owner's Name *Dr. Burton Allyn*

Address *833 Blooming Grove Tpk, New Windsor*

Architect's Name *Jay S. Klein*

Address *11 Garden Drive, New Windsor, N.Y.*

Builder's Name *Amber Construction Co.*

Address *Box 138 Barclay Rd, Clintondale, N.Y.*

Location of Building *E. Side Pte 94 @ N. int of Kra Vil. Dr.*

Material *Frame* Number of Stories *1* Number of Families *1*

Dimensions of Building *See Plans* Dimensions of Lot *1*

Use of Building *Prof. office Dwelling* Number of Bedrooms *1*

Number of Toilets Number of Baths

Heating Plant.....

I am familiar with the Zoning Ordinance of the Town of New Windsor.

Remarks: *Frame addition to exist. Frame Professional*

office

Signature of Applicant *Ralph Heffler*

Approximate Cost \$ *72,000*

Action of -

Planning Board

Highway

Water

Sewer

Zoning Board of Appeals

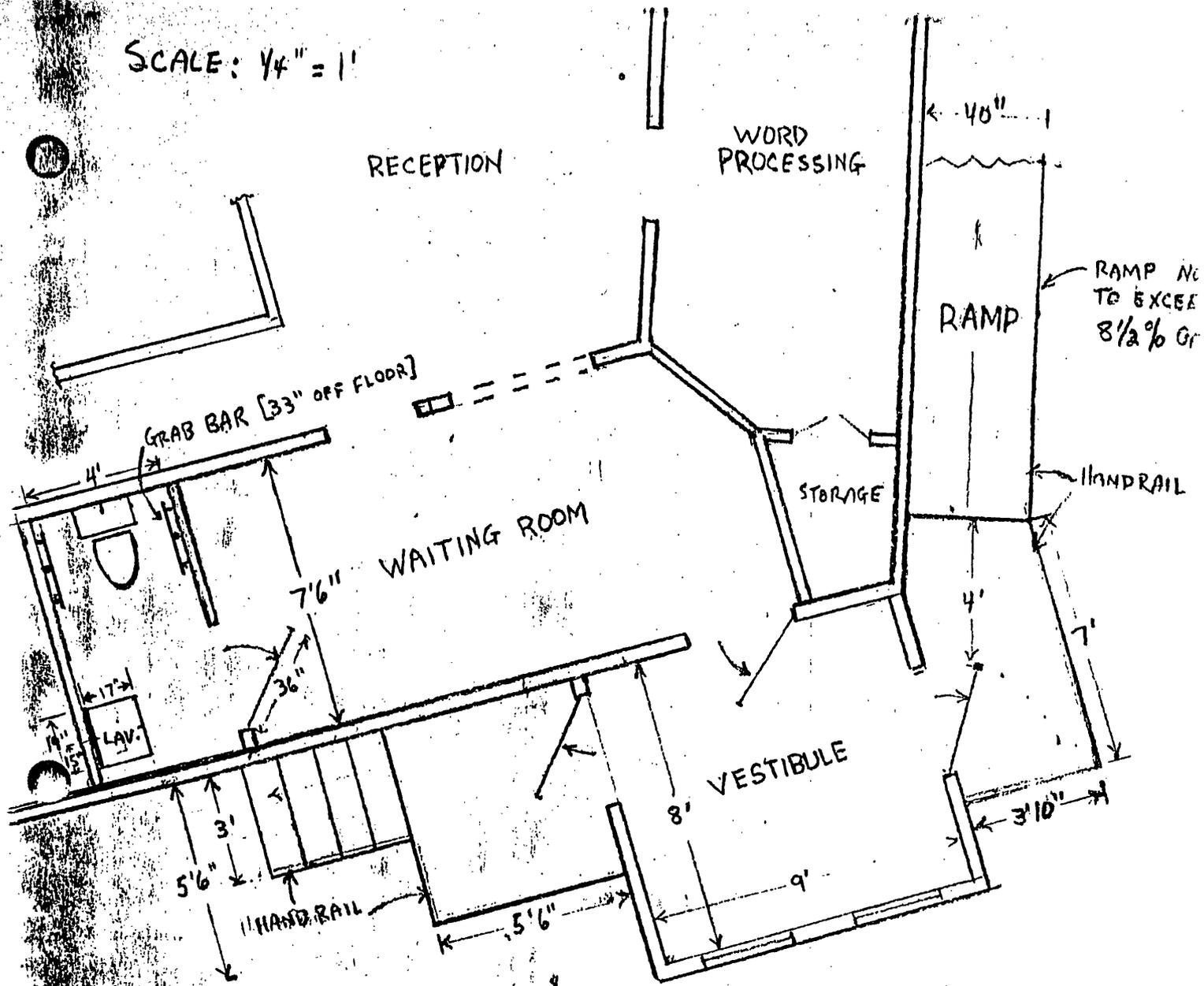
Jacob P. Kennedy
Zoning Officer

IMPORTANT

A permit under which no work is commenced within 6 months after issuance shall expire by limitation and a new permit shall be secured before work is started.

It is the responsibility of the owner and/or the contractor to comply with all applicable township ordinances and to call for the required inspections one day in advance.

SCALE: 1/4" = 1'



ALL DOORS 36"
ALL DOORS OPEN OUT

Name of Owner of Premises DR. BURTON ALLYN

Address 833 BLOOMING GROVE TPKE Phone 561-1102

Name of Architect J. S. KLEIN

Address 11 GARDEN DRIVE, NEW WINDSOR Phone

Name of Contractor AMBER CONST. REACTION CO.

Address R.R. BOX 138, BARCLAY RD, CLINTON DALE, MD Phone 883-7126-564-5522

State whether applicant is owner, lessee, agent, architect, engineer or builder.
If applicant is a corporation, signature of duly authorized officer.

(Name and title of corporate officer)

1. On what street is property located? On the EAST side of RT. 94
(N. S. E. or W.)

and feet from the intersection of

2. Zone or use district in which premises are situated R4

3. Tax Map description of property: Section 70 Block 1 Lot 45

4. Size of lot: Front..... Rear..... Depth..... Front Yard..... Rear Yard..... Side Yard.....

Is this a corner lot?.....

5. State existing use and occupancy of premises and intended use and occupancy of proposed construction:

a. Existing use and occupancy RESIDENCE + BUSINESS b. Intended use and occupancy SAME

6. Nature of work (check which applicable): New Building..... Addition..... Alteration..... Repair.....
Removal..... Demolition..... Other.....

7. Dimensions of entire new construction: Front 68' Rear..... Depth..... Height..... Stories 1

8. Material of new construction WOOD FRAME

9. If dwelling, number of dwelling units 1..... Number of dwelling units on each floor.....

Number of bedrooms 0 Baths 2 Toilets 2

Heating Plant: Gas X Oil..... Electric..... /Hot Air..... Hot Water X

If Garage, number of cars 1

10. If business, commercial or mixed occupancy, specify nature and extent of each type of use.....

11. Estimated cost \$72,000 Fee \$269.00
(to be paid on filing this application)

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

IMPORTANT

REQUIRED INSPECTIONS OF CONSTRUCTION - YOU MUST CALL FOR THESE

Other inspections will be made in most cases, but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections, it has not been approved, and it is improper to continue beyond that point in the work. Any disapproved work must be re-inspected after correction.

Name of Contractor HMBER...LAN.SI...RULTIDN...CO

Address R.R. Box 138, BARCLAY RD, CLINTONDALE, NY Phone 983-7126-569-5522

State whether applicant is owner, lessee, agent, architect, engineer or builder.
If applicant is a corporation, signature of duly authorized officer.

(Name and title of corporate officer)

- On what street is property located? On the EAST side of RT. 94
(N. S. E. or W.)
and feet from the intersection of.....
- Zone or use district in which premises are situated R 4
- Tax Map description of property: Section 7.0 Block 1 Lot 45
- Size of lot: Front..... Rear..... Depth..... Front Yard..... Rear Yard..... Side Yard.....
Is this a corner lot?.....
- State existing use and occupancy of premises and intended use and occupancy of proposed construction:
a. Existing use and occupancy RESIDENCE + BUSINESS b. Intended use and occupancy SAME
- Nature of work (check which applicable): New Building..... Addition..... Alteration..... Repair.....
Removal..... Demolition..... Other.....
- Dimensions of entire new construction: Front 68' Rear..... Depth..... Height..... Stories 1
- Material of new construction WOOD FRAME
- If dwelling, number of dwelling units 1 Number of dwelling units on each floor.....
Number of bedrooms 0 Baths 2 Toilets 2
Heating Plant: Gas X Oil..... Electric..... /Hot Air..... Hot Water X
If Garage, number of cars 1
- If business, commercial or mixed occupancy, specify nature and extent of each type of use.....
- Estimated cost \$12,000 Fee \$269.00
(to be paid on filing this application)

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

IMPORTANT

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CALL ONE DAY AHEAD FOR ALL INSPECTIONS TO AVOID DELAYS - 565-8807

- When excavating is complete and footing forms are in place (before pouring).
- Foundation Inspection - check here for waterproofing and footing drains.
- Inspect gravel base under concrete floors, and underslab Plumbing.
- When framing is completed, and before it is covered from inside, and Plumbing rough-in.
- Plumbing final & final. Have on hand Electrical Inspection Data per the Board of Fire Underwriters, and final certified plot plan. Building is to be complete at this time.

TOWN OF NEW WINDSOR, ORANGE COUNTY, N. Y.

Examined.....*247*.....19.....
 Approved.....*May 21 1984*.....19.....
 Disapproved a/c.....
 Permit No.*2471*.....

Office of Building Inspector
 Patrick T. Kennedy, Building Inspector
 Town Hall, 555 Union Avenue
 New Windsor, N.Y. 12550
 Telephone 565-8807

APPLICATION FOR BUILDING PERMIT

Pursuant to New York State Building Code and Town Ordinances

Refer -
 Planning Board.....
 Highway.....
 Sewer.....
 Water.....
 Zoning Board of Appeals.....

Date.....*May 21*.....19.....*84*.....

INSTRUCTIONS

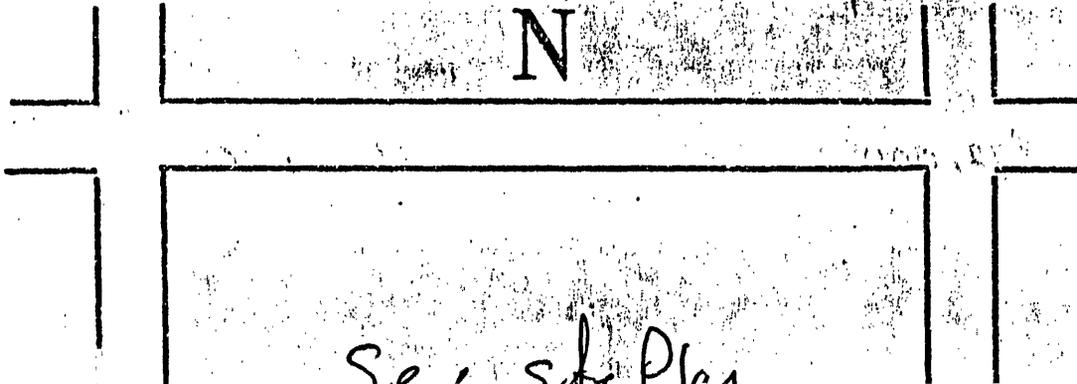
- a. This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- b. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.
- c. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- d. The work covered by this application may not be commenced before the issuance of a Building Permit.
- e. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- f. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions or alterations, or for removal or demolition or use of property, as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

.....*Ralph Healy*.....*RD2 Forest Rd. Wallkill N.Y.*
 (Signature of Applicant) (Address of Applicant)

PLOT PLAN

NOTE: Locate all buildings and indicate all set-back dimensions.
 Applicant must indicate the building line or lines clearly and distinctly on the drawings.



APPLICATION FOR BUILDING PERMIT
Pursuant to New York State Building Code and Town Ordinances

Planning Board.....
Highway.....
Sewer.....
Water.....
Zoning Board of Appeals.....

Date May 21 1984

INSTRUCTIONS

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- b. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.
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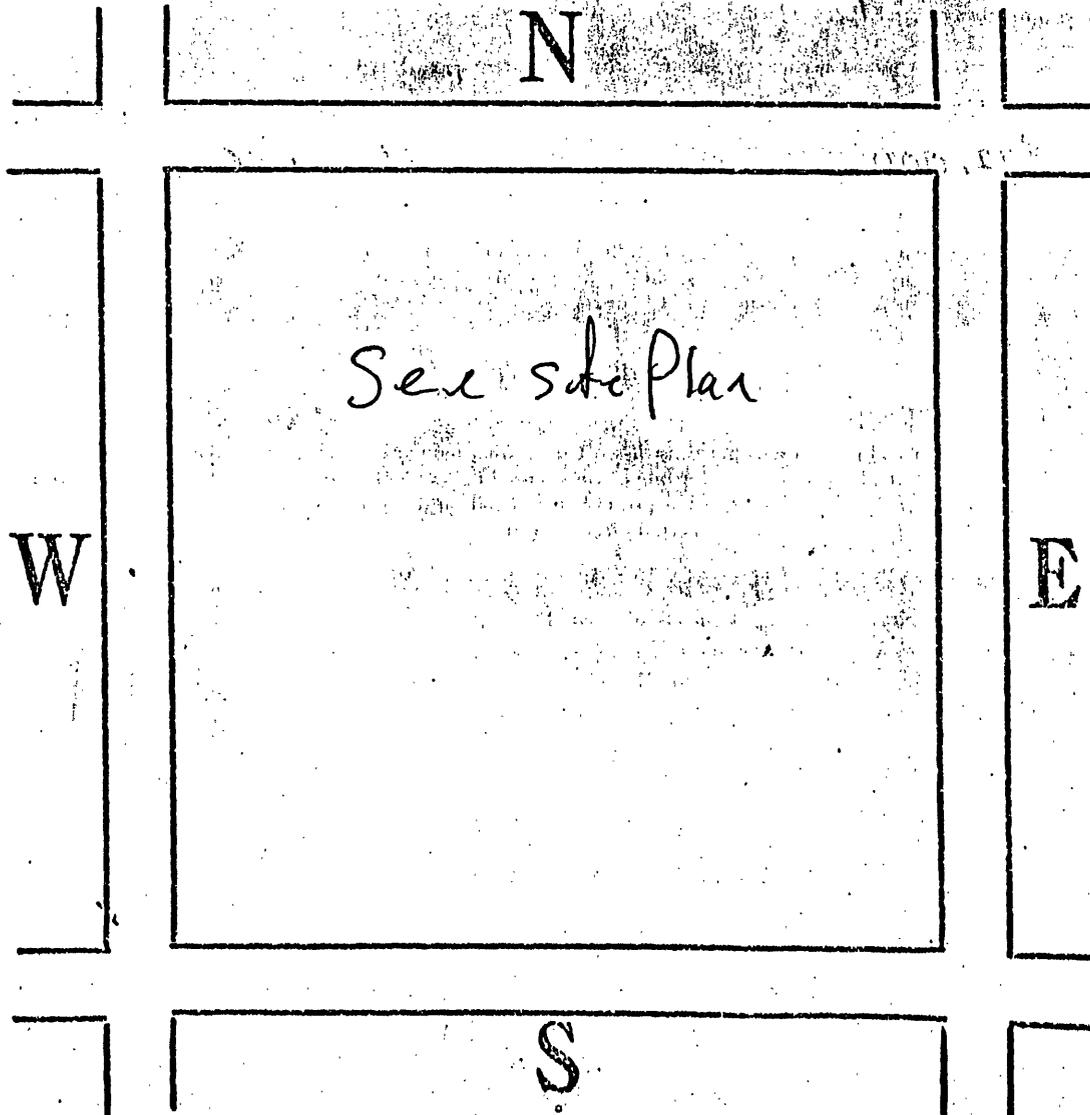
APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions or alterations, or for removal or demolition or use of property, as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

Ralph Healy
(Signature of Applicant)

R.D. Forest Rd. Wallkill, N.Y.
(Address of Applicant)

PLOT PLAN

NOTE: Locate all buildings and indicate all set-back dimensions.
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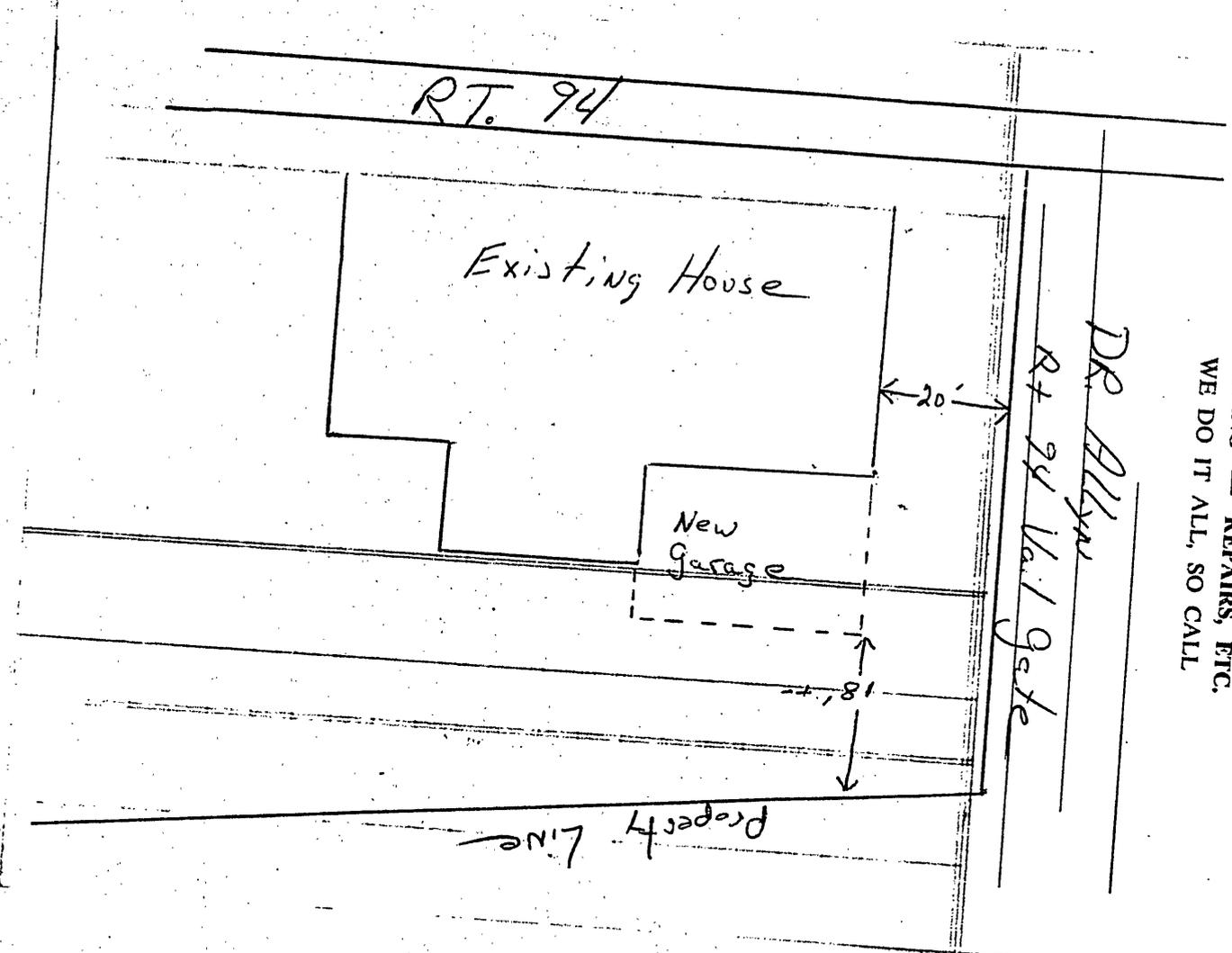
683-7126

AMBER CONSTRUCTION CO.

564-5522

RALPH HROTZLER

R. R. 1, Box 138, Barclay Road, Clintondale, N. Y. 12515
 COMMERCIAL — RESIDENTIAL — BUILDING
 ROOFING — REPAIRS, ETC.
 WE DO IT ALL, SO CALL



DR. ALLEN

BOB RICHER
883-7126

RALPH HEOTZLER
564-5522

AMBER CONSTRUCTION CO.

R. R. 1, Box 138, Barclay Road, Clintondale, N. Y. 12515

COMMERCIAL — RESIDENTIAL — BUILDING
ROOFING — REPAIRS, ETC.

WE DO IT ALL, SO CALL

1/2" ply score
15 lb. felt

SIS Roofing

edging & gutter

2x8

Existing Building

4" concrete w/wire mesh

2x8

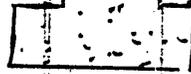
6" insulation, walls & ceiling

5/8 fire code sheet rock

T-1-11 Ex siding

1 over head door

1 - 2'8" 6'8" pass door to Existing



Name of Owner of Premises DOCTOR BURTON ALLYN
 Address RT. 94 VALES GATE N.Y. Phone 561-1100
 Name of Architect.....
 Address..... Phone.....
 Name of Contractor AMBER CONST. CO.
 Address BARCLAY RD. CLINTONDALE N.Y. Phone 883-7126-5645522
 State whether applicant is owner, lessee, agent, architect, engineer or builder:.....
 If applicant is a corporation, signature of duly authorized officer.

(Name and title of corporate officer)

1. On what street is property located? On the EAST side of RT. 94
 (N. S. E. or W.)
 and 1/4 mi. east from the intersection of 94 + 32
2. Zone or use district in which premises are situated R-4
3. Tax Map description of property: Section 70 Block 1 Lot 45
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction:
 - a. Existing use and occupancy OFFICE + RESIDENCE Intended use and occupancy GARAGE
5. Nature of work (check which applicable): New Building..... Addition Alteration..... Repair..... Removal.....
 Demolition..... Other.....
6. Size of lot: Front 107' Rear..... Depth 127' Front Yard..... Rear Yard..... Side Yard.....
 Is this a corner lot? YES
7. Dimensions of entire new construction: Front 14' Rear 14' Depth 21' Height 8' Number of stories 1
8. If dwelling, number of dwelling units..... Number of dwelling units on each floor.....
 Number of bedrooms..... Baths..... Toilets.....
 Heating Plant: Gas..... Oil..... Electric...../Hot Air..... Hot Water.....
 If Garage, number of cars.....
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use.....
10. Estimated cost \$3,600 Fee \$25.00
 (to be paid on filing this application)

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

IMPORTANT

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Address BARCLAY RD. CLINTONDALE N.Y. Phone 883-7126-5645522

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If applicant is a corporation, signature of duly authorized officer.

(Name and title of corporate officer)

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(N. S. E. or W.)
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Number of bedrooms..... Baths..... Toilets.....
Heating Plant: Gas..... Oil..... Electric...../Hot Air..... Hot Water.....
If Garage, number of cars.....
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use.....
10. Estimated cost \$3,600 Fee \$2500
(to be paid on filing this application)

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CALL ONE DAY AHEAD FOR ALL INSPECTIONS TO AVOID DELAYS - 565-8807

- 1-When excavating is complete and footing forms are in place (before pouring).
- 2-Foundation Inspection - check here for waterproofing and footing drains.
- 3-Inspect gravel base under concrete floors, and underslab Plumbing.
- 4-When framing is completed, and before it is covered from inside, and Plumbing rough-in.
- 5-Plumbing final & final. Have on hand Electrical Inspection Data per the Board of Fire Underwriters, and final certified plot plan. Building is to be complete at this time.

TOWN OF NEW WINDSOR, ORANGE COUNTY, N. Y.

Examined.....19.....
 Approved.....19.....
 Disapproved a/c.....
 Permit No. 2084.....

Office of Building Inspector
 HOWARD COLLETT, Building Inspector
 Town Hall, 555 Union Avenue
 New Windsor, N. Y. 12550
 Telephone 565-8807

APPLICATION FOR BUILDING PERMIT

Pursuant to New York State Building Code and Town Ordinances

Refer -
 Planning Board.....
 Highway.....
 Sewer.....
 Water.....
 Zoning Board of Appeals.....

Date Oct 29 19 82

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.
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- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

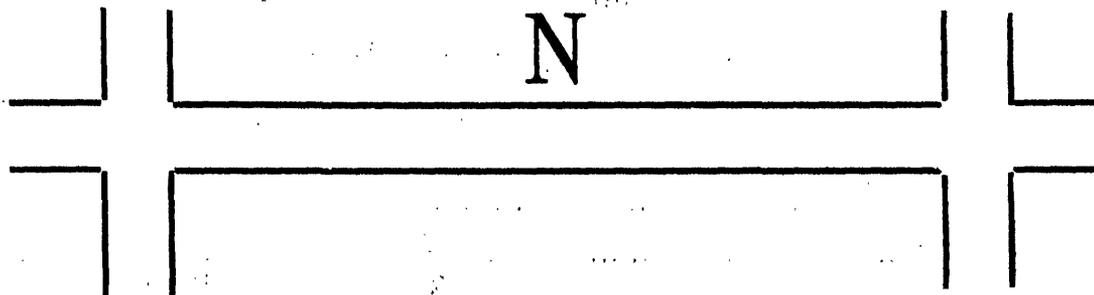
APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions or alterations, or for removal or demolition or use of property, as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

Ralph Heagler
 (Signature of Applicant)

RD 2 Forest Rd Newburgh N.Y.
 (Address of Applicant)

PLOT PLAN

NOTE: Locate all buildings and indicate all set-back dimensions.
 Applicant must indicate the building line or lines clearly and distinctly on the drawings.



Refer -
Planning Board.....
Highway.....
Sewer.....
Water.....
Zoning Board of Appeals.....

APPLICATION FOR BUILDING PERMIT
Pursuant to New York State Building Code and Town Ordinances

Date. *Oct 29* 19*82*

INSTRUCTIONS

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- f. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

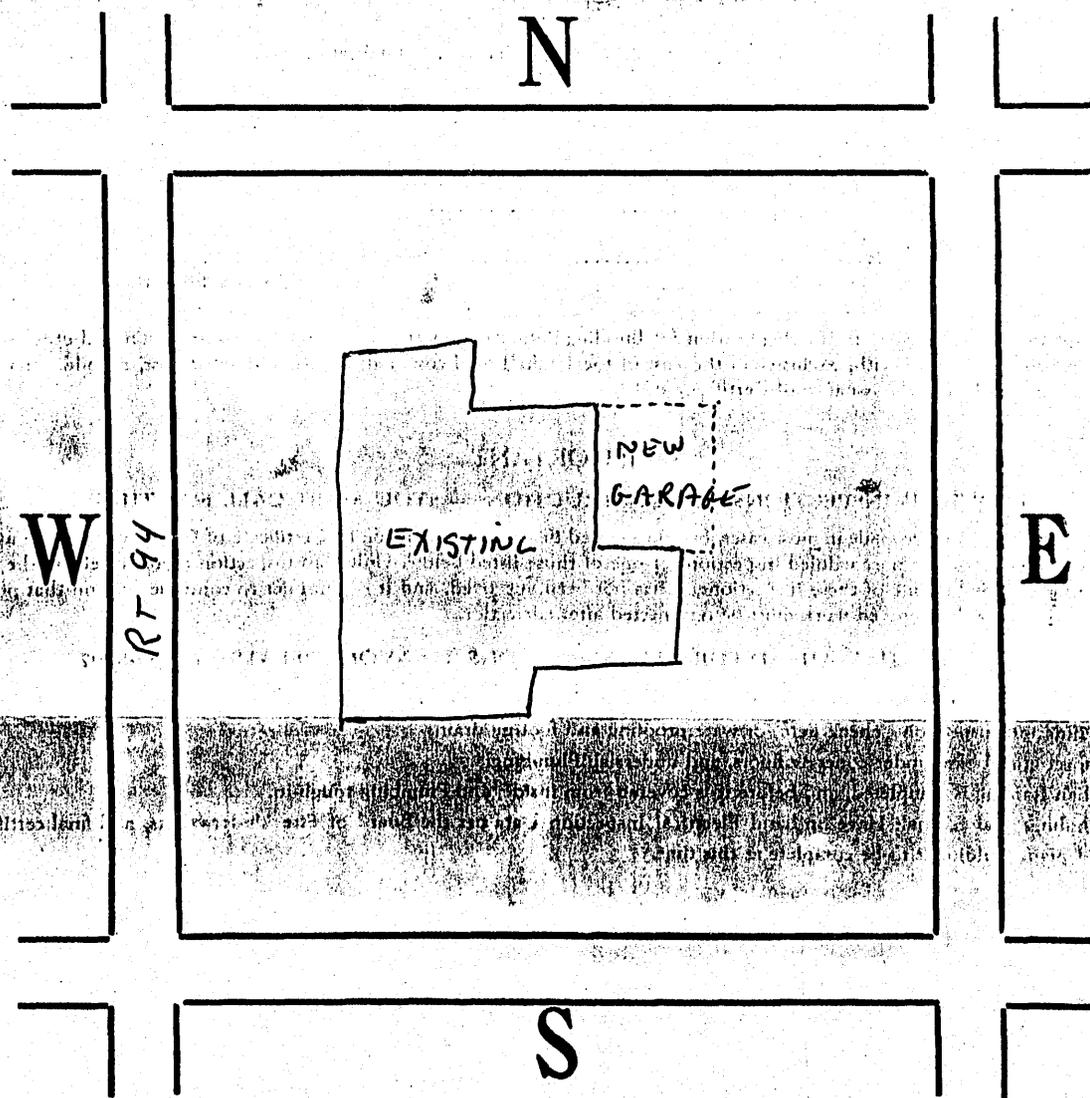
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Ralph Healy
(Signature of Applicant)

RD 2 Forest Rd Newburgh N.Y.
(Address of Applicant)

PLOT PLAN

NOTE: Locate all buildings and indicate all set-back dimensions.
Applicant must indicate the building line or lines clearly and distinctly on the drawings.



No 2084

October 29, 1977

BUILDING PERMIT

FEE: \$25.00

A permit is hereby given by the Zoning Officer of the Town of New Windsor, Orange County, N. Y., for building as described:

Owner's Name Dr. Burton Allyn

Address Rt. 94 Vails Gate

Architect's Name

Address

Builder's Name Amber Construction Co.

Address Barclay Rd. Clintondale, N. Y. 883-7126/564-5522

Location of Building E. side Rt. 94

Material. Frame Number of Stories 1 Number of Families

Dimensions of Building 14 x 21 8 Dimensions of Lot

Use of Building Garage Number of Bedrooms

Number of Toilets Number of Baths

Heating Plant.....

I am familiar with the Zoning Ordinance of the Town of New Windsor.

Remarks: attached garage

Signature of Applicant

Approximate Cost \$3,600......

Action of -

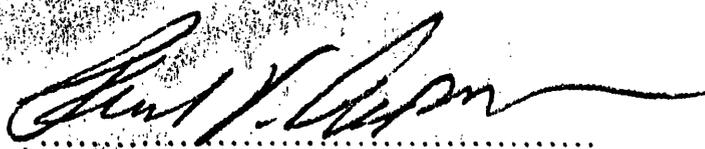
Planning Board

Highway

Water

Sewer

Zoning Board of Appeals



Zoning Officer

Acting Building Inspector

IMPORTANT

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It is the responsibility of the owner and/or the contractor to comply with all applicable township ordinances and to call for the required inspections one day in advance.

TOWN OF NEW WINDSOR
COUNTY OF ORANGE
555 Union Avenue
New Windsor, New York 12550
Telephone 565-8807

Building Department

Permit No. ... 2156 ...
Location: ... East side of Blooming Grove Trpk ...
Map No.: Section: ... 70 Block: ... 1 Lot: ... 45

**Affidavit of Final Cost of Construction—
Application for Certificate of Occupancy**

State of New York
County of Orange } ss.:

Ralph Heafley , being duly sworn, deposes and says:
(Applicant or Agent)

that he (she) is the applicant (or agent of the applicant) named in the Application for Building Permit dated April 12 1983 relating to construction or other work to be performed on, or in connection with, the premises located as indicated above; that the estimated cost stated in said application of the construction or other work described therein was twelve thousand Dollars (\$ 12,000.); that the actual final cost of such construction or other work was twelve thousand Dollars (\$ 12,000.).

Application is hereby made for the issuance of a Certificate of Occupancy for the structure on these premises. Applicant states that he has examined the approved plans and that to the best of his knowledge and belief, the structure has been erected in accordance therewith and in accordance with the applicable provision of law.

Applicant further states that he was the _____ (Note: Strike out items a, b, or c, not applicable)

- (a) Licensed Architect, or (b) Professional Engineer, or
- (c) Superintendent of construction who supervised the said construction or other work and that by reason of his experience he is qualified to supervise such work on the structure for which a Certificate of Occupancy is requested.

Sworn to before me

this 23rd day of May 1984

Mary J. Benedict

MAY F. BENEDICT
Notary Public, State of New York
No. 4764738
Qualified in Orange County
My Commission Expires March 30, 1985

Ralph Heafley
(Applicant or Agent)

Filed Cost \$ 12,000
Permit Fee Paid \$ 50.00
Additional Fee \$ 60.15

(Costs for the work described in the Application for Building Permit include the cost of all of the construction and other work done in connection therewith, exclusive of the cost of the land. If the final cost is less than the estimated cost stated in the Application for Building Permit, no portion of the fee paid upon the filing of the application will be refunded.)

Application No. _____ Permit No. 2156

Building Department

~~VILLAGE~~, TOWN ~~OR VILLAGE~~ OF New Windsor
(Address and Telephone Number)

County of: Orange

Location: E. Side Blooming Grove Trk. (Pt. 94) @ Knox Village Drive

Map No.: _____ Section: 70 Block: 1 Lot: 45

Certificate of Occupancy

No. 38

Date May 23 1984

THIS CERTIFIES that the building located at premises indicated above, conforms substantially to the approved plans and specifications heretofore filed in this office with Application for Building Permit dated April 12 1983, pursuant to which Building Permit was issued, and conforms to all the requirements of the applicable provisions of the law. The occupancy for which this certificate is issued is Addition to Frame Dwelling/Professional office

This certificate is issued to D. Buxton Allen
(owner, lessee or tenant)
of the aforesaid building.

Joseph P. Linnich
Superintendent of Buildings

(The Certificate of Occupancy will be issued only after affidavits or other competent evidence is submitted to the Superintendent of Buildings that the completion of the construction in compliance with the State Building Construction Code and with other laws, ordinances or regulations affecting the premises, and in conformity with the approved plans and specifications. A final electrical, plumbing, heating or sanitation certificate or other evidence of compliance may be required before the issuance of the Certificate of Occupancy.)

No 2156

April 12, 1983

BUILDING PERMIT

FEE \$50.00

A permit is hereby given by the Zoning Officer of the Town of New Windsor, Orange County, N. Y., for building as described:

Owner's Name *Dr. Burton Allya*

Address *833 Blooming Grove Tpke., New Windsor*

Architect's Name *Self*

Address

Builder's Name *Amber Construction Co.*

Address *Box 138 Barclay Rd., Clintondale, N.Y.*

Location of Building *E. Side Blooming Grove Tpke (at Knox Hl. Dr.)*

Material *Frame* Number of Stories *1* Number of Families *1*

Dimensions of Building *31x28* Dimensions of Lot *106.7 x 127*

Use of Building *Dwelling/office* Number of Bedrooms *2*

Number of Toilets Number of Baths

Heating Plant *Electric*

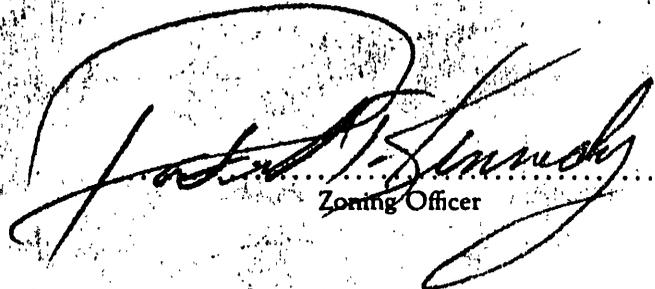
I am familiar with the Zoning Ordinance of the Town of New Windsor.

Remarks *Addition of frame room & garage to existing residence/professional office*

Signature of Applicant *Robert N. Eickler*

Approximate Cost *\$12,000*

- Action of -
- Planning Board
- Highway
- Water
- Sewer
- Zoning Board of Appeals



Zoning Officer

IMPORTANT

A permit under which no work is commenced within 6 months after issuance shall expire by limitation and a new permit shall be secured before work is started.

It is the responsibility of the owner and/or the contractor to comply with all applicable township ordinances and to call for the required inspections one day in advance.

Name of Owner of Premises D.R. BURTON ALLEN

Address 833 BLOOMING GROVE T.P.K.E. Phone 661-1100

Name of Architect

Address Phone

Name of Contractor AMBER CONST. CO.

Address R.R. BOX 138 BALLY RD, CLINTONDALE, PA Phone 863-7126

State whether applicant is owner, lessee, agent, architect, engineer or builder: BUILDER

If applicant is a corporation, signature of duly authorized officer.

(Name and title of corporate officer)

1. On what street is property located? On the EAST side of BLOOMING GROVE T.P.K.E.
(N. S. E. or W.)

and 195 feet from the intersection of Marshall Drive (at E. side Knox Village Dr.)

2. Zone or use district in which premises are situated R-4

3. Tax Map description of property: Section 70 Block 1 Lot A5

4. Size of lot: Front 196.7 Rear 190 Depth 127.2 Front Yard Rear Yard 15 Side Yard 15

Is this a corner lot?

5. State existing use and occupancy of premises and intended use and occupancy of proposed construction:

a. Existing use and occupancy OFFICE + DWELLING b. Intended use and occupancy DWELLING + GARAGE

6. Nature of work (check which applicable): New Building Addition X Alteration Repair

Removal Demolition Other

7. Dimensions of entire new construction: Front 32' Rear 32' Depth 28' Height 10' Stories 1

8. Material of new construction WOOD FRAME

9. If dwelling, number of dwelling units 1 Number of dwelling units on each floor

Number of Bedrooms 0 Baths 0 Toilets 0

Heating Plant: Gas Oil Electric X / Hot Air Hot Water

If Garage, number of cars 1

10. If business, commercial or mixed occupancy, specify nature and extent of each type of use

GAME ROOM AND GARAGE

11. Estimated cost 12,000.00 Fee \$50.00

(to be paid on filing this application)

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

IMPORTANT

REQUIRED INSPECTIONS OF CONSTRUCTION - YOU MUST CALL FOR THESE

Name of Contractor AMBER CONST. CO.
Address R.R. BOX 138 BARRY RD, CLINTONDALE, MD. 863-7126
State whether applicant is owner, lessee, agent, architect, engineer or builder: BUILDER
If applicant is a corporation, signature of duly authorized officer.

(Name and title of corporate officer)

1. On what street is property located? On the EAST side of BLOOMING GROVE T.PKE.
(N. S. E. or W.)
and 195 feet from the intersection of Marshall Drive (at E. side Knox Village Dr.)
2. Zone or use district in which premises are situated R-4
3. Tax Map description of property: Section 70 Block 1 Lot 45
4. Size of lot: Front 124.7 Rear 120 Depth 127.2 Front Yard 15 Rear Yard 15 Side Yard 15
Is this a corner lot?.....
5. State existing use and occupancy of premises and intended use and occupancy of proposed construction:
a. Existing use and occupancy OFFICE + DWELLING b. Intended use and occupancy DWELLING + GARAGE
6. Nature of work (check which applicable): New Building..... Addition Alteration..... Repair.....
Removal..... Demolition..... Other.....
7. Dimensions of entire new construction: Front 32' Rear 32' Depth 28' Height 10' Stories 1
8. Material of new construction WOOD FRAME
9. If dwelling, number of dwelling units 1 Number of dwelling units on each floor.....
Number of bedrooms 0 Baths 0 Toilets 0
Heating Plant: Gas..... Oil..... Electric / Hot Air..... Hot Water.....
If Garage, number of cars 1
10. If business, commercial or mixed occupancy, specify nature and extent of each type of use.....
GAME ROOM AND GARAGE
11. Estimated cost 12,000.00 Fee \$50.00
(to be paid on filing this application)

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CALL ONE DAY AHEAD FOR ALL INSPECTIONS TO AVOID DELAYS - 565-8807

- 1-When excavating is complete and footing forms are in place (before pouring).
- 2-Foundation Inspection - check here for waterproofing and footing drains.
- 3-Inspect gravel base under concrete floors, and underslab Plumbing.
- 4-When framing is completed, and before it is covered from inside, and Plumbing rough-in.
- 5-Plumbing final & final. Have on hand Electrical Inspection Data per the Board of Fire Underwriters, and final certified plot plan. Building is to be complete at this time.

TOWN OF NEW WINDSOR, ORANGE COUNTY, N. Y.

Examined... April 1219.. 83
 Approved... April 1219.. 83
 Disapproved a/c.....
 Permit No. 2156

Office of Building Inspector
 Patrick T. Kennedy, Building Inspector
 Town Hall, 555 Union Avenue
 New Windsor, N.Y. 12550
 Telephone 569-8807

Refer -
 Planning Board.....
 Highway.....
 Sewer.....
 Water.....
 Zoning Board of Appeals

APPLICATION FOR BUILDING PERMIT

Pursuant to New York State Building Code and Town Ordinances

Date... April 12 19.. 83

INSTRUCTIONS

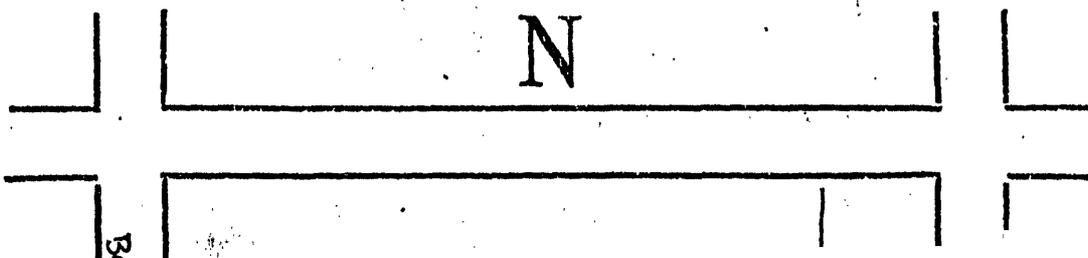
- a. This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- b. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.
- c. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- d. The work covered by this application may not be commenced before the issuance of a Building Permit.
- e. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- f. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions or alterations, or for removal or demolition or use of property, as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

Robert H. Puchler... AMBER CON. BT. CO...... CLINTONDALE, N. Y......
 (Signature of Applicant) (Address of Applicant)

PLOT PLAN

NOTE: Locate all buildings and indicate all set-back dimensions.
 Applicant must indicate the building line or lines clearly and distinctly on the drawings.



Refer -
 Planning Board.....
 Highway.....
 Sewer.....
 Water.....
 Zoning Board of Appeals.....

APPLICATION FOR BUILDING PERMIT
 Pursuant to New York State Building Code and Town Ordinances

Date..... *April 12, 1987*

INSTRUCTIONS

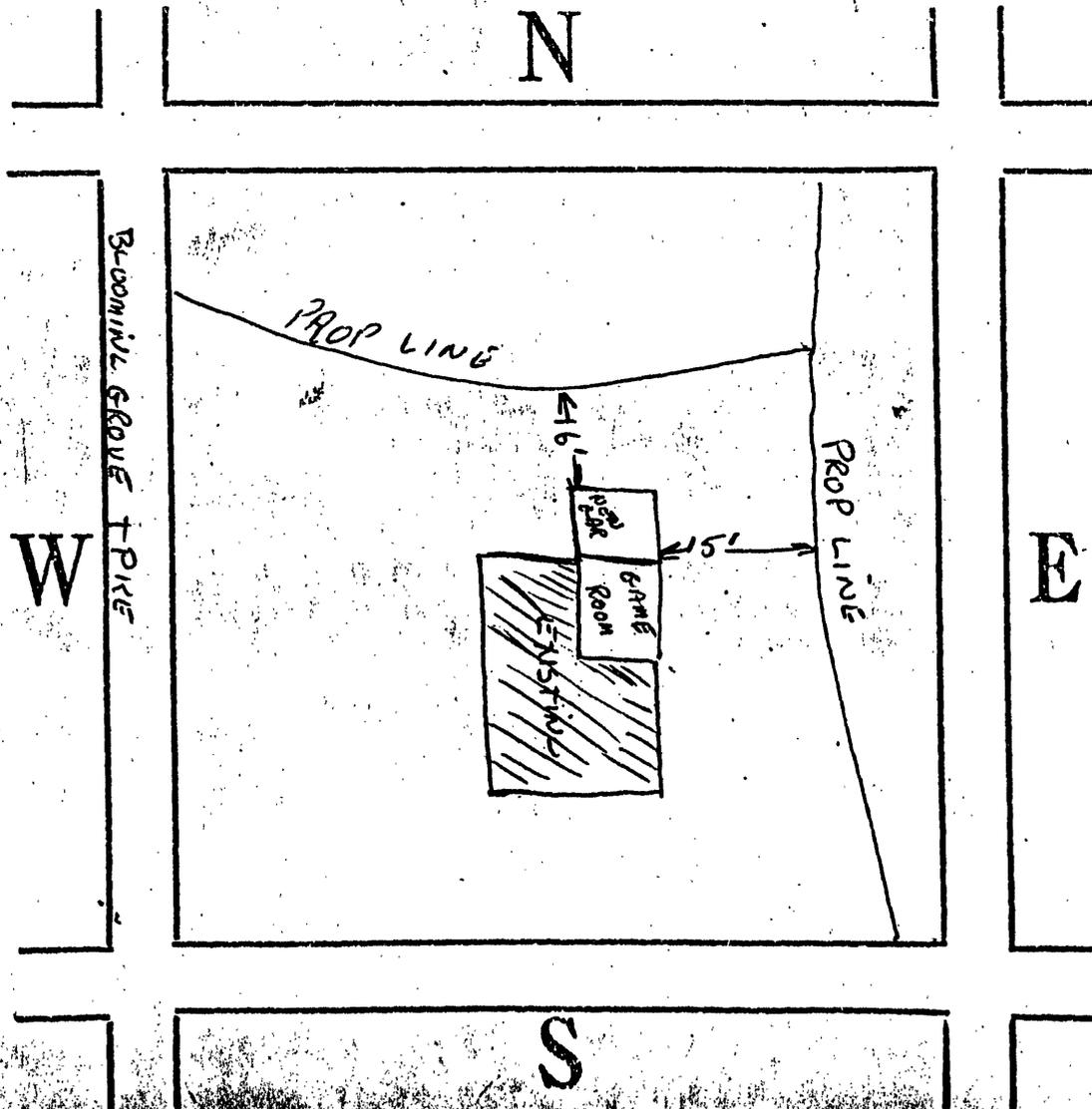
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Robert H. Eichel... *AMBER CON. BT. CO.*..... *CLINTONDALE, N.Y.*.....
 (Signature of Applicant) (Address of Applicant)

PLOT PLAN

NOTE: Locate all buildings and indicate all set-back dimensions.
 Applicant must indicate the building line or lines clearly and distinctly on the drawings.



6" INSULATION
THROUGHOUT ADDITION.

2x8 ROOF RAFTERS
1/2" CDX SHEATHING

EXISTING
HOUSE

5/8" T-1-11
SIDING
2x6 FRAMING

1/2" SHEET ROCK
5/8" TYPE X IN GAR.

2x4 BEARING
PART WITH 8"
ARCHWAY.
2x12 HEADER WITH
1/2" PLYWOOD FLITCH

GRADE

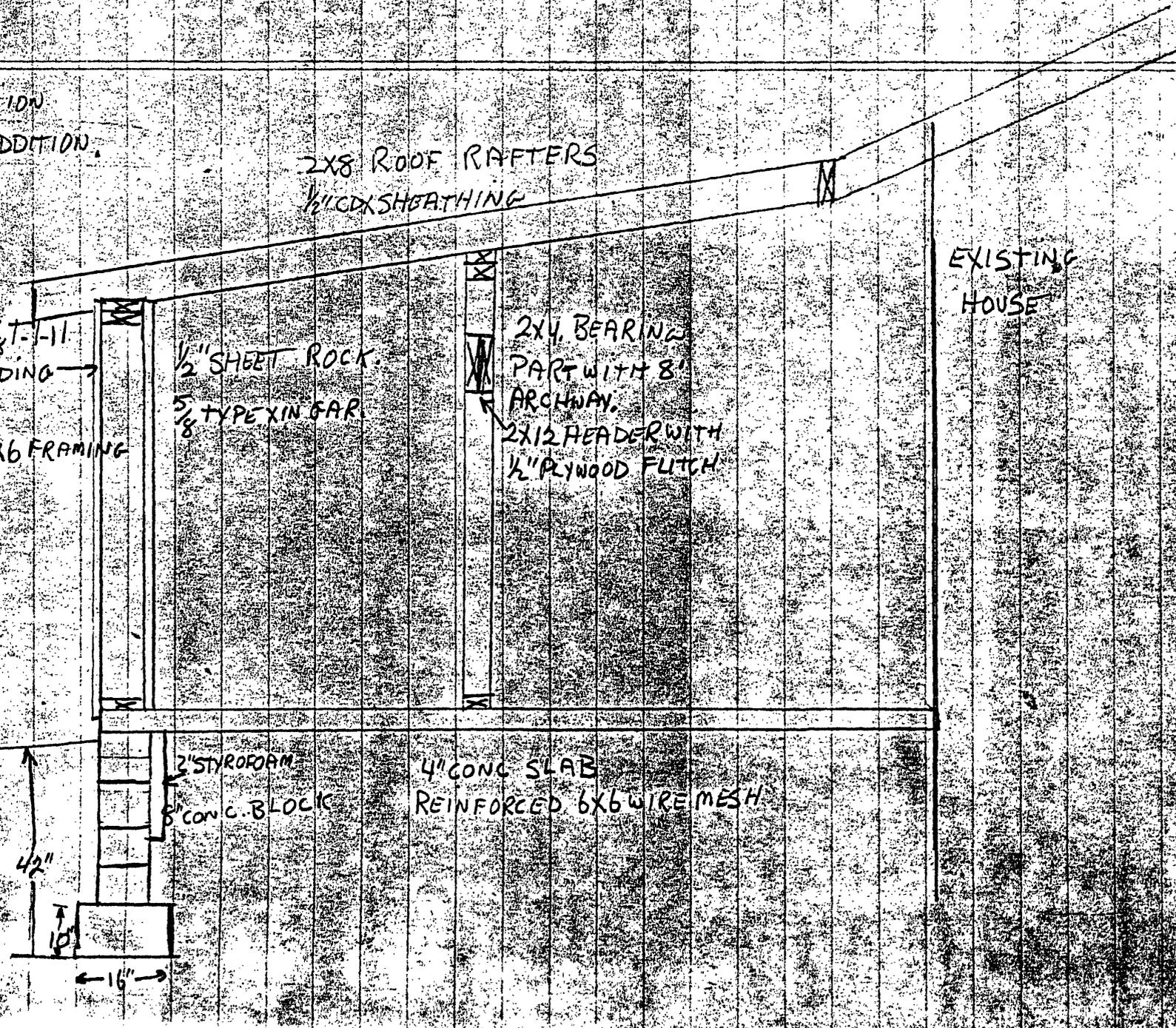
3" STYROFOAM
8" CONC. BLOCK

4" CONC SLAB
REINFORCED 6x6 WIRE MESH

4 1/2"

10"

16"



Name of Owner of Premises BURTON ALLEN NY 12550
 Address 833 ROUTE 94 NEW WINDSOR Phone 914 561 1100
 Name of Architect ERIC SINGER
 Address 19 BEAVER DAM ROAD POMONA NY 10970 Phone 914 354 7953
 Name of Contractor AMBER CONSTRUCTION
 Address RR 1 Box 138 Barclay Rd CLINTONDALE NY 12515 Phone 564 5522
 State whether applicant is owner, lessee, agent, architect, engineer or builder: OWNER
 If applicant is a corporation, signature of duly authorized officer.

Burton Allen
 (Name and title of corporate officer)

- On what street is property located? On the EAST side of ROUTE 94 and ENTRANCE ROAD TO KNOX VILLAGE
 and 25 feet from the intersection of ROUTE 94 + Entrance to Knox Village
- Zone or use district in which premises are situated PROFESSIONAL OFFICE - Commercial
- Tax Map description of property: Section 70 Block 1 Lot 45
- State existing use and occupancy of premises and intended use and occupancy of proposed construction:
 - Existing use and occupancy OFFICE - HOME
 - Intended use and occupancy SAME
- Nature of work (check which applicable): New Building..... Addition Alteration..... Repair..... Removal.....
 Demolition..... Other.....
- Size of lot: Front 107' Rear 100' Depth 127' Front Yard..... Rear Yard..... Side Yard..... 21' North
 Is this a corner lot? YES 15' South
- Dimensions of entire new construction: Front 35' Rear 35' Depth 14' Height..... Number of stories.....
- If dwelling, number of dwelling units..... Number of dwelling units on each floor.....
 Number of bedrooms 1 Baths 0 Toilets 0
 Heating Plant: Gas..... Oil..... Electric...../Hot Air..... Hot Water
 If Garage, number of cars.....
- If business, commercial or mixed occupancy, specify nature and extent of each type of use..... MIXED occupancy
Medical office + home
- Estimated cost \$8000.00 Fee 50
11,700 (to be paid on filing this application)

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

IMPORTANT
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Address: 19 BEAVER DAM ROAD 10 MONROE 107 107 10
 Phone: 914 354 7953
 Name of Contractor: AMBER CONSTRUCTION
 Address: RR 1 Box 138 Barclay Rd CLINTONDALE NY 12515
 Phone: 518 552 2222
 State whether applicant is owner, lessee, agent, architect, engineer or builder: OWNER
 If applicant is a corporation, signature of duly authorized officer:

Barbara Allyn
 (Name and title of corporate officer)

- On what street is property located? On the EAST side of ROUTE 94 and ENTRANCE ROAD TO KNOX VILLAGE
 (N. S. E. or W.) and 25 feet from the intersection of ROUTE 94 + Entrance to Knox Village
- Zone or use district in which premises are situated PROFESSIONAL OFFICE - Commercial
- Tax Map description of property: Section 20 Block 1 Lot 45
- State existing use and occupancy of premises and intended use and occupancy of proposed construction:
 a. Existing use and occupancy OFFICE - HOME b. Intended use and occupancy SAME
- Nature of work (check which applicable): New Building..... Addition Alteration..... Repair..... Removal.....
 Demolition..... Other.....
- Size of lot: Front 107' Rear 100' Depth 127' Front Yard 40' x 60' Rear Yard 80' x 60' Side Yard 21' ~~10'~~ 15' ~~South~~
 Is this a corner lot? YES
- Dimensions of entire new construction: Front 35' Rear 35' Depth 14' Height..... Number of stories 1
- If dwelling, number of dwelling units 1. Number of dwelling units on each floor 1.
 Number of bedrooms 1 Baths 0 Toilets 0
 Heating Plant: Gas..... Oil..... Electric /Hot Air..... Hot Water.....
 If Garage, number of cars 1
- If business, commercial or mixed occupancy, specify nature and extent of each type of use. MIXED occupancy
 Medical office & home
- Estimated cost \$8000.00 Fee 50
 (to be paid on filing this application)
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- When excavating is complete and footing forms are in place (before pouring).
- Foundation Inspection - check here for waterproofing and footing drains.
- Inspect gravel base under concrete floors, and underslab Plumbing.
- When framing is completed, and before it is covered from inside, and Plumbing rough-in.
- Plumbing final & final. Have on hand Electrical Inspection Data per the Board of Fire Underwriters, and final certified plot plan. Building is to be complete at this time.

TOWN OF NEW WINDSOR, ORANGE COUNTY, N. Y.

Examined..... 5/24 19.82
 Approved..... 19.....
 Disapproved a/c.....
 Permit No. 2072

Office of Building Inspector
 HOWARD COLLETT, Building Inspector
 Town Hall, 555 Union Avenue
 New Windsor, N. Y. 12550
 Telephone 565-8807

Refer -
 Planning Board.....
 Highway.....
 Sewer.....
 Water.....
 Zoning Board of Appeals

APPLICATION FOR BUILDING PERMIT

Pursuant to New York State Building Code and Town Ordinances

Date..... 5/24 19.82

INSTRUCTIONS

- a. This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- b. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.
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- f. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions or alterations, or for removal or demolition or use of property, as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

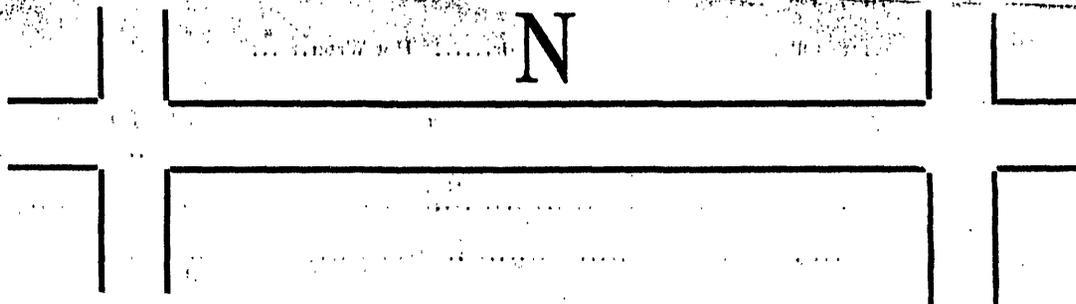
Arthur Allen
 (Signature of Applicant)

833 Rt 94 New Windsor
 (Address of Applicant)

PLOT PLAN

NOTE: Locate all buildings and indicate all set-back dimensions.

Applicant must indicate the building line or lines clearly and distinctly on the drawings.



Highway.....
Sewer.....
Water.....
Zoning Board of Appeals.....

Pursuant to New York State Building Code and Town Ordinances

Date..... 5/24 1982

INSTRUCTIONS

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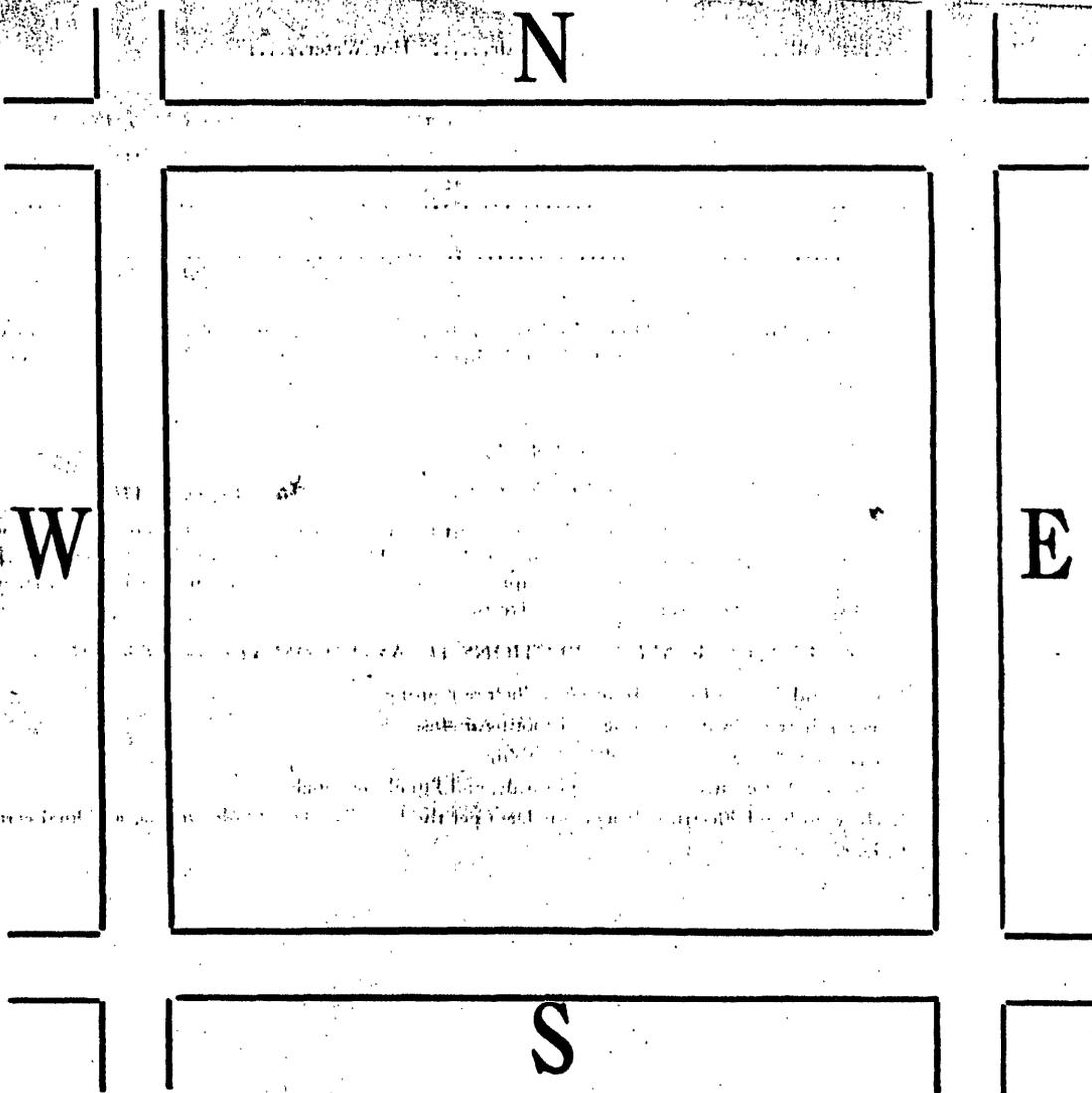
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Bruce Allen
.....
(Signature of Applicant)

833 Rt 94 New Windsor
.....
(Address of Applicant)

PLOT PLAN

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garage

Double Coverage roofing
2x8 16" O.C.

T-111 siding

2x6 16" O.C.

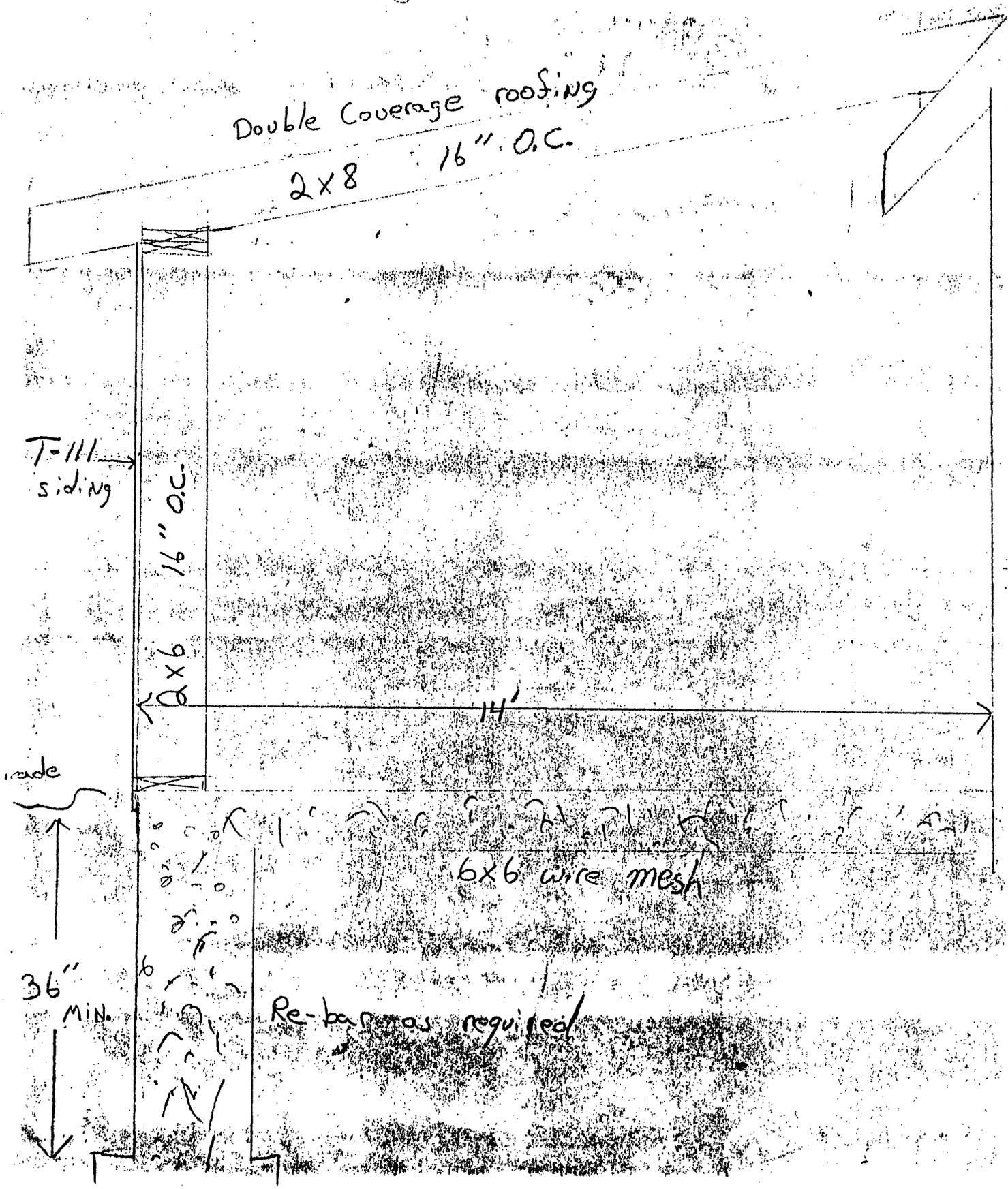
14'

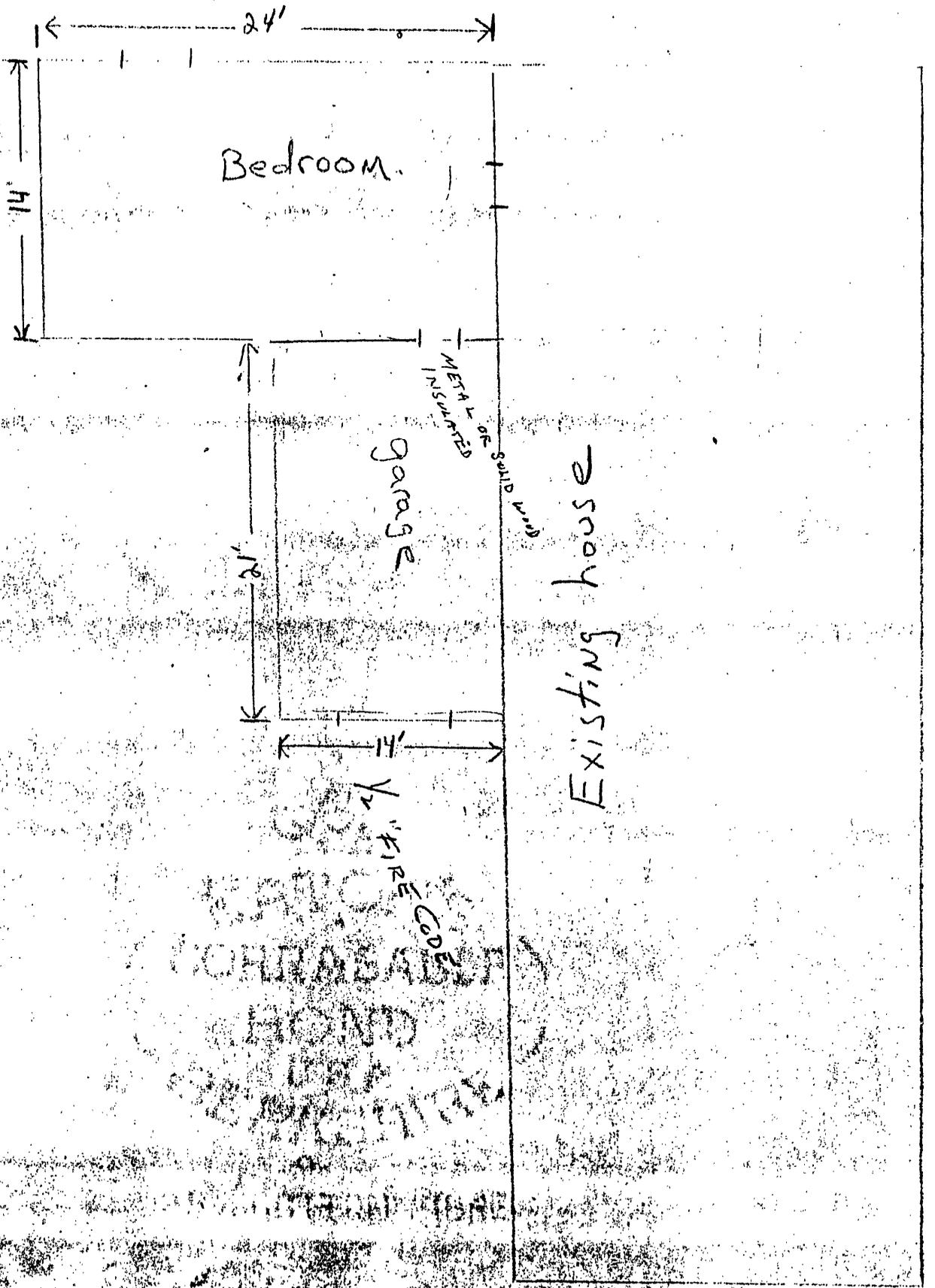
grade

36" MIN.

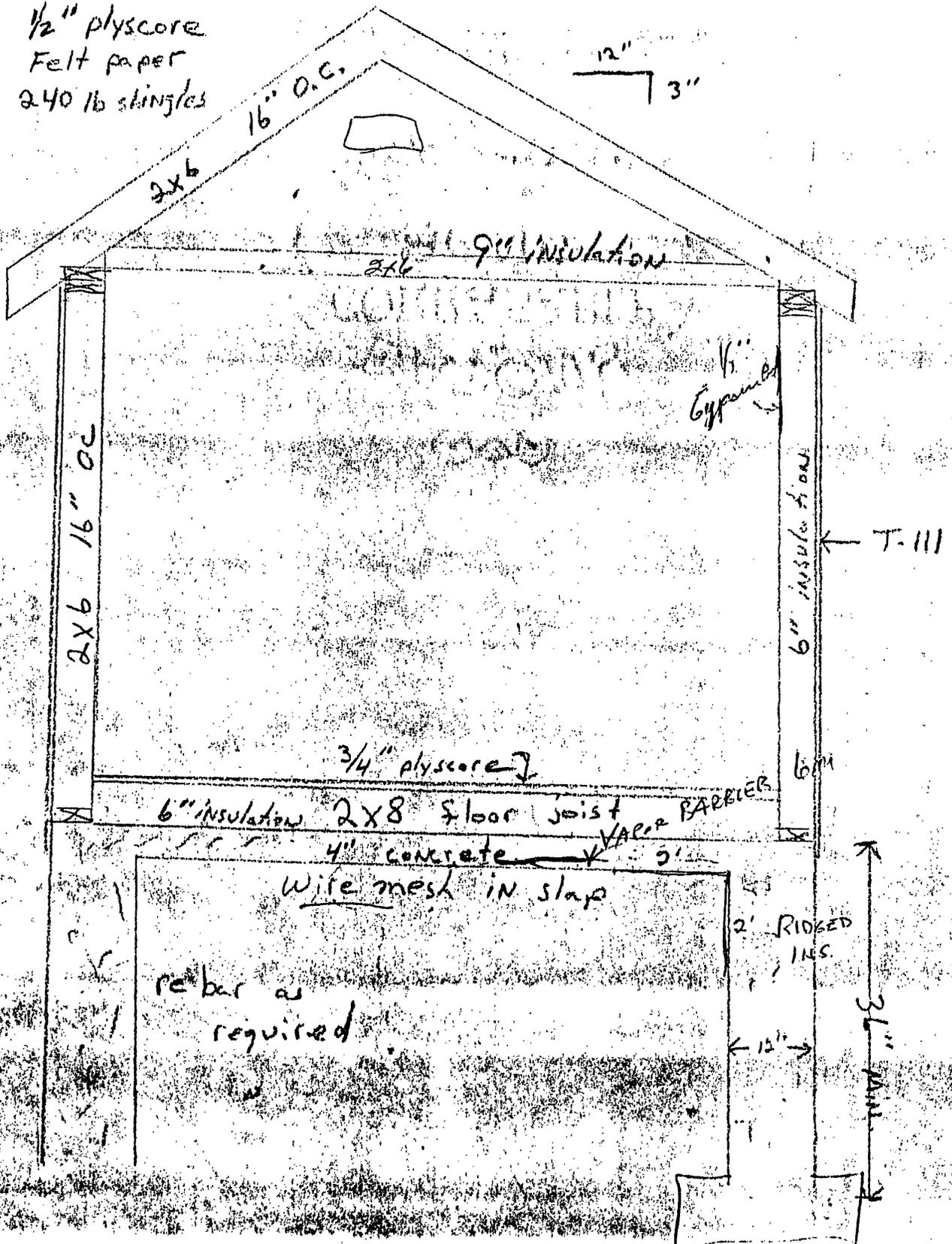
6x6 wire mesh

Re-bar as required





1/2" plyscore
Felt paper
240 lb shingles



2x6 16" O.C.

12" / 3"

9" insulation

2x6 16" O.C.

1/2" Gypsum

6" insulation

T-III

3/4" plyscore

6" insulation 2x8 floor joist

4" concrete

Wire mesh in slab

rebar as required

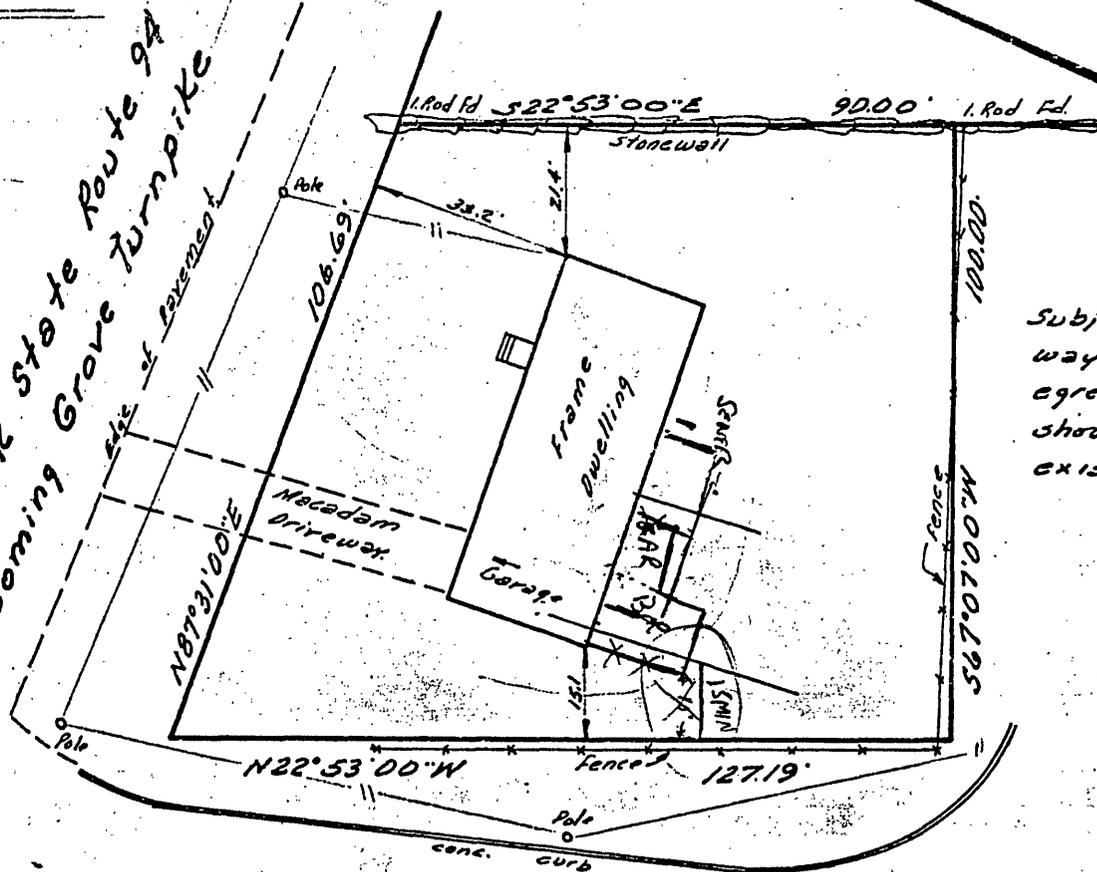
2" RIDGED INS.

36" height

12"

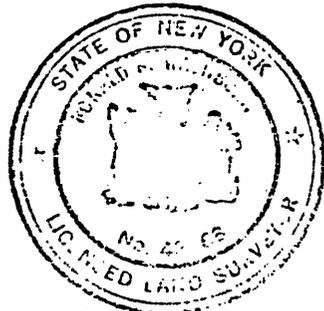
Washburn Associates
 Estrada, Esq.
 Central Valley, N.Y.

New York State Route 9A
 Blooming Grove Turnpike
 24' of easement



Subject to a Right of way for ingress and egress over the road shown hereon as an existing road.

Existing Road (No Name)



Dr. Burton Allyn
 Chicago Title Insurance Company
 Bankers Trust Company of Hudson Valley, N.Y.
 Certified true and correct
 as shown hereon.

Ronald A. Washburn
 Lic. No. 48368

Survey Map For

Dr. Burton Allyn

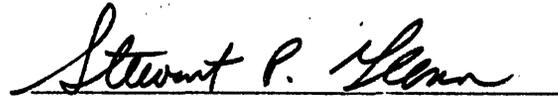
SCALE: 1"=30'	APPROVED BY:	DRAWN BY:
DATE: Dec. 14, 1979		REVISED:
Town of New Windsor		Orange Co., N.Y.
		DRAWING NUMBER: 1976

AFFIDAVIT OF MAILING

STATE OF NEW YORK:

: ss.
COUNTY OF ORANGE :

STEWART P. GLENN, being duly sworn, deposes and says that he is over the age of 18 years, resides at 11 Gedney Way, City of Newburgh, New York, and that on the 15th day of September, 1988, he deposited into an official depository of the U.S. Postal Service in the City of Newburgh, Notice of Hearing to be held September 26, 1988, a copy of which is attached hereto and made a part hereof as Schedule A, in securely closed postpaid wrappers, certified mail return receipt requested, and directed to the persons who are described on Schedule B which is attached hereto and made a part hereof.



STEWART P. GLENN

Sworn to before me this
16th day of September, 1988



NOTARY PUBLIC

ANN G. LAWRENCE
Notary Public, State of New York
Qualified in Orange County
My commission expires Apr. 30, 1990

PUBLIC NOTICE OF HEARING BEFORE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals
of the TOWN OF NEW WINDSOR, New York will hold a
Public Hearing pursuant to Section 48-34A of the
Zoning Local Law on the following proposition:

Appeal No. 45

Request of BLOOMING GROVE TURNPIKE ASSOCIATES

for a VARIANCE of

the regulations of the Zoning Local Law to

permit renovation of medical clinic with
insufficient frontyard, sideyard, rearyard and
building height;

being a VARIANCE of

Section 48-12-Table of Use/Blk. Regs.-Cols.E,F,G & I

for property situated as follows:

833 Blooming Grove Tpk., New Windsor, N. Y.

SAID HEARING will take place on the 26th day of
September, 1988, at the New Windsor Town Hall,
555 Union Avenue, New Windsor, N. Y. beginning at
7:30 o'clock P. M.

JAMES NUGENT
Chairman

SCHEDULE A

